

The Commonwealth of Massachusetts

SIXTEENTH ANNUAL REPORT

to the

JUSTICES OF THE
SUPREME JUDICIAL COURT



By the

EXECUTIVE SECRETARY

as of

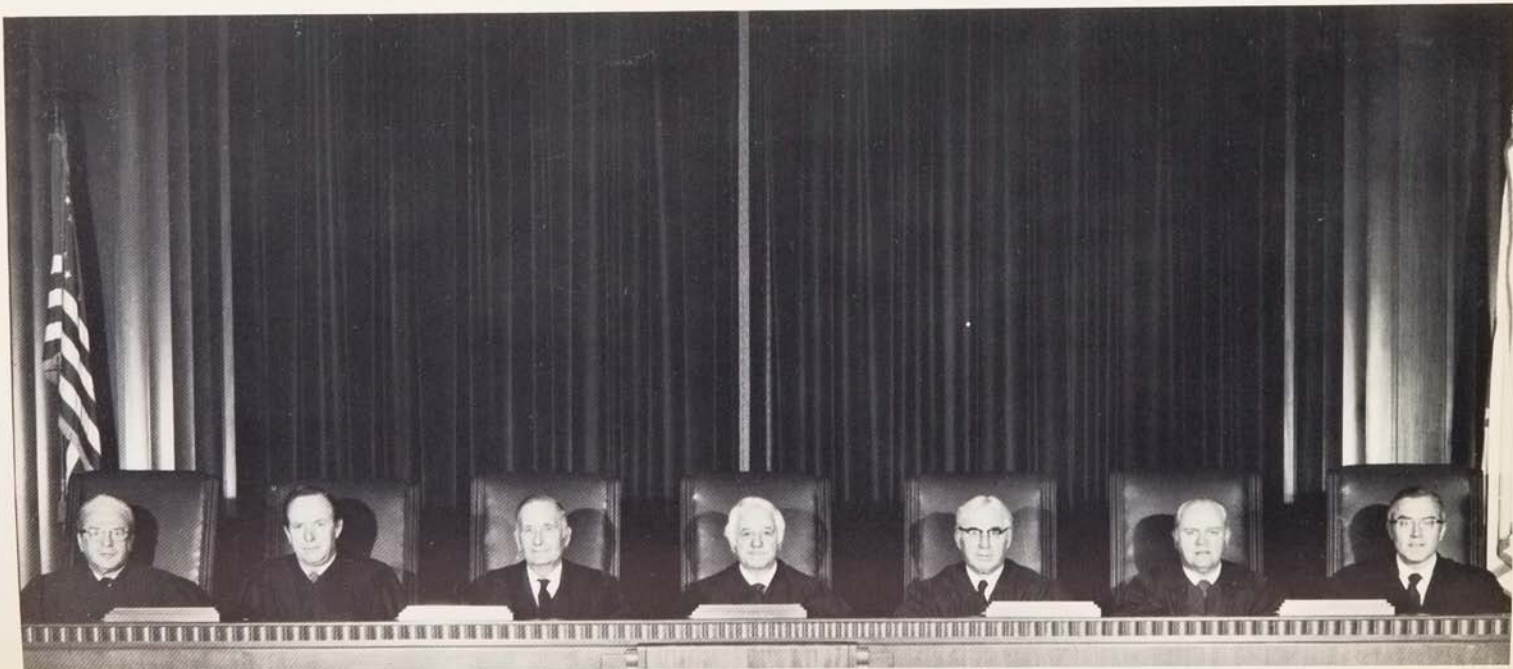
June 30, 1972

Publication of this Document Approved by
Alfred C. Holland, State Purchasing Agent

Estimated Cost Per Copy: \$1.32

MR
401M3
A615
Q 1972
o.1

THE HONORABLE THE CHIEF JUSTICE AND ASSOCIATE JUSTICES
OF THE SUPREME JUDICIAL COURT FOR THE COMMONWEALTH



BENJAMIN
KAPLAN

ROBERT
BRAUCHER

PAUL
C.
REARDON

G.
JOSEPH
TAURO
C. J.

FRANCIS
J.
QUIRICO

EDWARD
F.
HENNESSEY

HERBERT
P.
WILKINS

96
M41:3954re
1971-72
A

TABLE OF CONTENTS

	PAGE	PARAGRAPH
INTRODUCTION	3	1
THE JUDICIAL SYSTEM	3	6
POPULATION	5	11
DELAY IN COURT	6	14
REMAND AND REMOVAL	10	31
MASSACHUSETTS JUDICIAL CONFERENCE	13	33
CIVIL PRACTICE AND PROCEDURE.....	15	41
CRIMINAL PRACTICE AND PROCEDURE.....	17	54
THE JUDICIARY.....	22	74
JUDICIAL SALARIES.....	25	93
COURT MANAGEMENT.....	27	99
PHYSICAL FACILITIES	30	119
LIBRARIES	41	182
COMMENTS ON THE VARIOUS COURTS		
(a) Supreme Judicial Court.....	41	186
(b) Appeals Court	44	204
(c) Superior Court.....	45	215
(d) Land Court.....	48	230
(e) Housing Court of the City of Boston	49	235
(f) Probate Courts	50	241
(g) District Courts.....	51	246
(h) Municipal Court of the City of Boston.....	52	250
(i) Juvenile Courts	52	254
CONCLUSION	53	261
FOREWORD TO APPENDICES	55	

APPENDIX

	PAGE
I Court Costs.....	56
II Statistics of the Performance by the Various Courts	74

INTRODUCTION

1. Much has happened in the courts, a good deal of it since the close of the reporting year. Early in January of 1973 the effect of the voters' action in approving the constitutional amendment which mandated retirement of judges at age seventy was felt in practically all the major courts.

2. The Massachusetts appellate court system was substantially changed with the creation of the Appeals Court. St. 1972, c. 740, adding G. L. c. 211A. The new court will provide a speedier and less expensive review of civil and criminal cases arising in the Superior, Land, and Probate Courts.

3. The major reason for the establishment of the Appeals Court was to relieve the justices of the Supreme Judicial Court of the intolerable burden of their appellate work. As the Appeals Court reaches its full potential, the justices of the Supreme Judicial Court will be able to devote more time to appeals of major importance and to the discharge of their responsibility for supervision of the entire court system.

4. The Housing Court of the City of Boston has begun operating in an energetic fashion. Most of its cases are criminal complaints brought by city officials for housing code violations. However, the court has broad jurisdiction, both civil and criminal, in landlord and tenant cases.

5. These and other developments will be discussed in later sections of this report.

THE JUDICIAL SYSTEM

6. The following outline describes the organization of the courts of the Commonwealth.

A. THE SUPREME JUDICIAL COURT

The chief justice and six associate justices.

Final appellate jurisdiction in all cases except that direct appeals in most cases go to the Appeals Court with further review or transfer discretionary.

Original jurisdiction — mainly petitions for extraordinary writs and for relief under various statutes — single justice.

Advisory opinions at the request of either branch of the Legislature or the Governor or the Executive Council.

General superintendence of all courts of inferior jurisdiction.

B. THE APPEALS COURT

The chief justice and five associate justices.

Appellate jurisdiction in most cases arising in the superior, land, and probate courts.

C. THE SUPERIOR COURT

The chief justice and forty-five associate justices.

General trial jurisdiction, jury and non-jury. Circuit system.

D. THE PROBATE COURTS

The chief judge, twenty-three judges, one part-time judge, and one special judge.

Jurisdiction of probate of will, administration of estates, appointment of guardians and conservators, divorce and annulment of marriages, separate maintenance, adoption and change of name. Equity jurisdiction except as otherwise provided by statute. County system except judges subject to assignment by chief judge.

E. THE LAND COURT

The Judge and two associate judges.

Jurisdiction in land titles, registrations and uses.

F. THE HOUSING COURT OF THE CITY OF BOSTON

A judge.

Jurisdiction of housing code enforcement and various landlord and tenant cases.

G. THE DISTRICT COURTS

The chief justice, sixty-four full-time justices, seventeen part-time justices and eighty-one special justices. Non-jury, except sessions with jury of six in Pittsfield, New Bedford or Fall River, Salem or Haverhill, Springfield, Lowell, Framingham, East Cambridge, Dedham or Quincy, Brockton, and Worcester.

Five-judge appellate divisions — northern, southern and western districts.

H. THE MUNICIPAL COURT OF THE CITY OF BOSTON

The chief justice, eight associate justices, and one special justice.

Three-judge appellate division.

I. THE BOSTON JUVENILE COURT

The justice and two special justices.

J. THE SPRINGFIELD JUVENILE COURT

A justice.

K. THE WORCESTER JUVENILE COURT

A justice.

L. THE BRISTOL COUNTY JUVENILE COURT

A justice.

7. In 1972 a bill that would have provided for state assumption of the entire costs of operating the superior court was passed by the Legislature but failed to receive the Governor's approval. It was thought that a shift in the tax burdens from the cities and towns through county assessments to the Commonwealth should be accompanied by a similar transfer of operating control of the personnel.

8. Predictions in earlier reports about the proliferation of new courts were accurate. A Bristol County Juvenile Court has been established and a bill has been filed to create a juvenile court in Plymouth County. There is also a bill to create a housing court in the city of Springfield. A new breed of court has been conceived in bills to create an ecology court and an environmental court. It is to be hoped that with liberalized abortion these unwanted children will not see the light of day.

9. Massachusetts in many respects has a workable court system but in recent years the creation of new courts at the trial level has reversed the generally accepted trend toward greater unification of the trial court structure.

10. The argument for the specialized court is, of course, that special talents are required of judges and their supporting personnel to deal with special problems. Carried to an extreme this would lead to administrative chaos and to vastly increased expense to the taxpayers. Massachusetts has gone much too far already in this direction and before another independent trial court is established it is essential that the court system be considered as a whole.

11. POPULATION
(by Counties)
(Thousands)

	State 1955	Federal 1960	State 1965	Federal 1970
1. Middlesex	1,115	1,239	1,280	1,397
2. Suffolk	820	791	706(-)	735
3. Worcester	574	583	610	638
4. Essex	544	569	609	638

5. Norfolk	448	510	560(+)	605
6. Hampden	389	429	435	459
7. Bristol	390	398	415	444
8. Plymouth	214	248	293(+)	333 +
9. Berkshire	138	142	146	149
10. Hampshire	87	103	100	124 +
11. Barnstable	53	70	74(+)	97 +
12. Franklin	56	55	58	59
13. Dukes	6	6	6	6
14. Nantucket	4	4	4	4
	4,838	5,149	5,295	5,689

+ over 20% increase, 1960-1970

(+) over 20% increase, 1955-1965

(-) over 20% decrease, 1955-1965

12. In round figures the population of Massachusetts rose in the 1960 decade from 5,149,000 to 5,689,000, an increase of 10.5 per cent. In this period three counties increased in numbers in excess of 20 per cent: Barnstable, 37.5%; Hampshire, 20.1%; Plymouth, 34.2%.

13. The 1970 census report shows that 4,767,000 reside in urban areas, or 83.8% of the population.

DELAY IN COURT

14. The workload of the Superior Court continued to climb during the year ending June 30, 1972. Criminal filings increased seven per cent over 1971 and are now two and one-half times the number filed in 1963 and exceeded civil filings for the first time in recent years.

15. Civil filings dropped 10% due to a 26% drop in motor vehicle tort entries but evidence continues to grow that the relief expected from no-fault automobile insurance will benefit the District Courts rather than the Superior Court.

16. Cases formerly filed in Superior Court in the under \$2,000 cost category covered by no-fault were generally remanded to the District Courts. As might be expected, as pre-no-fault cases phased out of the courts, there was a drop in motor vehicle tort remands.

17. More serious motor vehicle injury cases will continue to be filed in the Superior Court as they always have and no decrease in these is expected. While total filings may drop, as they did this year, motor vehicle cases that must be disposed of in Superior Court should remain about the same.

18. Despite the equivalent of nine District Court judges sitting full-time on motor vehicle torts and misdemeanor appeals in the Superior Court, the backlog of the court continued to grow. Delay in bringing cases to trial continued to increase.

19. The number of days Superior Court judges sat on civil mat-

ters dropped 26% from 1971 while the number of days they sat on criminal matters climbed 30%. Three times as much time must now be spent on criminal matters as ten years ago. As a result, civil trials suffered as civil sessions were shifted to criminal sessions.

20. Delay on civil matters increased in every county but one, reaching over five years in Plymouth County and over four years in Middlesex and Berkshire Counties. There can be no improvement until the Legislature increases the size of the court. Forty-six judges simply cannot cope with the work that has to be done.

21. Legislation has again been filed to increase the number of judges. Unless the General Court acts favorably, it can safely be predicted that more civil sessions will be shifted to criminal sessions and delay in court will continue to grow. How long must this be allowed to continue?

22. Again we list the three increases of delay available. They are the time lapse figures published by the Institute of Judicial Administration, the time-lag table based upon reports to the Chief Justice of the Superior Court, and the table of civil jury cases triable at issue and awaiting trial compiled by this office from reports from the clerks of the courts.

23. Although there are differences between the Institute figures and the Superior Court time-lag table, both sources indicate that in the larger counties measured by both, there is unconscionable delay in reaching civil jury cases for trial.

24. The 1972 Calendar Status Study of the Institute of Judicial Administration again lists five Massachusetts courts of general jurisdiction, i.e., the Superior Court in five counties, among the twenty courts which show the greatest delay in reaching personal injury jury cases for trial. Worcester County apparently just missed being included.

25. The 1972 schedule lists the five Massachusetts courts in months from the service of answer, or an equivalent date, to trial as follows:

	1971	1972
	<i>months</i>	
9th Superior Court, Middlesex (Cambridge)	40	41
10th Superior Court, Suffolk (Boston)	35	39
13th Superior Court, Norfolk (Dedham)	32	38
16th Superior Court, Essex (Lawrence)	33.5	35
18th Superior Court, Hampden (Springfield)	30	33

26. The time-lag table that follows shows vividly the result of shifting civil sessions to criminal sessions. Difference in reporting methods may account for the variations in the two reports.

27. The third measure of delay in reaching civil jury cases for trial appears in the following table jury cases triable at issue and

		1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
		<i>Jury Cases Triable at Issue & Awaiting Trial</i>	<i>Under 12 mos.</i>	<i>12 to 18 mos.</i>	<i>18 to 24 mos.</i>	<i>24 to 30 mos.</i>	<i>30 to 36 mos.</i>	<i>Over 36 mos.</i>	<i>Percent over 18 mos.</i>	<i>Cases over 18 mos.</i>	<i>Percent over 12 mos.</i>
Barnstable.....	1971	389	211	81	45	20	13	19	24.94	97	45.75
	1972	521	234	85	72	70	29	31	39.0	202	55.0
Berkshire.....	1971	810	391	111	93	87	51	77	38.02	308	51.72
	1972	878	366	117	94	61	71	169	44.98	395	58.31
Bristol	1971	2,594	938	415	308	285	274	374	44.7	1,241	63.7
	1972	2,127	726	336	266	309	196	294	50.0	1,065	66.0
Dukes	1971	33	0	5	17	11	0	0	84.0	28	15.0
	1972	30	10	11	0	0	7	2	30.0	9	43.0
Essex	1971	3,905	1,695	670	527	383	269	361	39.4	1,540	56.6
	1972	4,549	1,529	688	685	530	451	666	50.8	2,332	66.4
Franklin	1971	287	130	35	40	32	25	25	42.8	122	54.7
	1972	288	115	53	43	22	26	29	45.1	130	60.0
Hampden	1971	3,809	1,821	447	452	399	223	467	40.0	1,541	52.0
	1972	4,186	1,816	581	522	157	224	886	43.0	1,789	57.0
Hampshire	1971	217	131	50	13	9	5	9	17.0	36	40.0
	1972	251	134	63	24	15	3	12	22.0	54	47.0
Middlesex	1971	11,624	4,804	1,381	1,319	679	1,467	1,974	46.79	5,439	58.67
	1972	12,825	4,815	1,380	1,375	1,292	1,126	2,837	51.69	6,630	62.45

Nantucket	1971	7	4	0	0	0	1	2	42.0	3	42.0
	1972	10	7	3	0	0	0	0	None	0	30.0
Norfolk	1971	4,336	1,745	569	496	449	393	684	47.0	2,022	60.0
	1972	4,199	1,434	667	534	400	323	841	49.0	2,098	66.0
Plymouth	1971	2,661	1,229	380	120	153	293	486	39.6	1,054	53.8
	1972	3,154	911	550	449	346	143	755	54.0	1,693	71.0
Suffolk	1971	11,001	5,296	1,394	1,023	963	800	1,525	39.0	4,311	51.0
	1972	10,880	4,117	1,472	1,284	865	874	2,268	49.0	5,291	62.0
Worcester	1971	4,048	2,890	442	241	171	101	203	17.0	716	28.0
	1972	2,830	1,382	349	306	256	192	345	38.0	1,099	51.0
TOTALS	1971	45,721	21,285	5,980	4,694	3,641	3,915	6,206	40.3	18,458	53.3
	1972	46,728	17,596	6,355	5,654	4,323	3,665	9,135	49.1	22,787	62.3
Increase 1972 over 1971		1,007	-3,689	375	960	682	-250	2,929	+8.8	4,329	+9.0

awaiting trial. The total number showed a smaller growth than a year ago due to the drop in total cases filed. Cases under twelve months old dropped by 3,689 cases. Total cases were 46,728 in 1972 compared to 45,721 for 1971.

28. Cases over 36 months old increased by 2,929 cases. Cases over 18 months now comprise 49.1% of the total. Counties exceeding the state coverage are Bristol 50%, Essex 50.8%, Middlesex 51.7%, and Plymouth 54%. Norfolk and Suffolk Counties at 49% are barely under the state average.

29. On the criminal side, cases increased to 41,201, compared to 38,353 in 1971 and 30,934 in 1970. No relief is in sight here. Every indication is that this trend will continue as juvenile filings in the District and Juvenile Courts increased by 13.5% in 1972 as compared to 1971. These youngsters will probably not suddenly reform when they reach their 17th birthday.

30. The need for more judges in the Superior Court is quite clear. One can only hope that this year the Legislature will respond favorably.

REMAND AND REMOVAL

31. In ten years 352,363 law actions were entered in the Superior Court. During that period, 132,626 were remanded. As only 2,438 were tried to verdicts or findings after findings below (1.8%), the relief gained by the Superior Court by use of the remand is obvious.

TIME-LAG IN MONTHS FROM DATE OF ENTRY TO TRIAL
*Counties in Which Sittings Are Continuous or
 Practically so During the Court Season*

	1971	1972	+ or -
BRISTOL.....	42.2	43.1	+ .9
ESSEX.....	35	36	+ 1
HAMPDEN.....	33	42	+ 9
MIDDLESEX			
Cambridge.....	41	51	+ 10
Lowell.....	23	24	+ 1
NORFOLK.....	38	43.13	+ 5.13
SUFFOLK.....	39	43	+ 4
WORCESTER			
Worcester.....	22	32	+ 10
Fitchburg.....	20	14	- 6

County in Which Sittings are Nearly Continuous

	1971	1972	+ or -
PLYMOUTH.....	43.6	65.2	+ 21.6

*Counties in Which Sittings Are Not Continuous
 (Age of Most Recent Cases Reached in Normal
 Course When Sittings Held.)*

	1971	1972	+ or -
BARNSTABLE.....	31	*33.5	+ 2.5
BERKSHIRE.....	28.3	48.8	+ 20.5
FRANKLIN.....	34	34	
HAMPSHIRE.....	17	16	- 1

*By estimate of Clerk

The remand of cases from the superior court to the district courts and the Boston municipal court showed an increase from 12,847 in 1971 to 13,117 in 1972. The remand limit under G. L. c. 231, § 102C, remained at \$2,000.

I. *Civil Cases Remanded*

	<i>To District Courts</i>	<i>To Boston Municipal Court</i>	<i>Total</i>
1963	10,679	1,818	12,497
1964	11,367	1,575	12,942
1965	11,326	1,730	13,056
1966	10,502	1,461	11,963
1967	12,585	1,733	14,318
1968	12,234	2,663	14,897
1969	10,986	3,823	14,809
1970	10,137	2,048	12,185
1971	10,818	2,029	12,847
1972	10,925	2,192	13,117
	<u>111,559</u>	<u>21,072</u>	<u>132,631</u>

II. *Superior Court Trials to Verdicts or Findings After Findings Below*

	<i>Jury</i>	<i>Without Jury</i>	<i>Total</i>
1963	167	26	193
1964	230	32	262
1965	215	31	246
1966	209	11	220
1967	259	37	296
1968	262	10	272
1969	248	21	269
1970	257	32	289
1971	214	21	235
1972	142	14	156
	<u>2,203</u>	<u>235</u>	<u>2,438</u>

III. *Law Actions* Entered Superior Court*

1963	34,304
1964	37,140
1965	39,523
1966	35,548
1967	34,730
1968	33,558
1969	34,381
1970	35,155
1971	36,453
1972	31,571
Total	<u>352,363</u>

*(Includes removals)

32. Much of this gain is lost by removals to the Superior Court from the District Courts and the Boston Municipal Court. In 1971, they dropped to 9,566 from 11,852 in 1971. This was caused by a decrease in motor vehicle tort removals, as all other types of cases removed increased.

1963	7,184
1964	9,197
1965	10,929
1966	8,604
1967	9,016
1968	9,419
1969	10,438
1970	11,228
1971	11,852
1972	9,556

MASSACHUSETTS JUDICIAL CONFERENCE

33. The membership of the Massachusetts Judicial Conference has been affected both by the mandatory retirement amendment and the creation of the Appeals Court. S. J. C. Rule 3:16. The members now are:

Chief Justice G. Joseph Tauro, *Chairman*
 Justice Paul C. Reardon
 Justice Francis J. Quirico
 Justice Robert Braucher
 Justice Edward F. Hennessey
 Justice Benjamin Kaplan
 Justice Herbert P. Wilkins
 Chief Justice Allan M. Hale
 Chief Justice Walter H. McLaughlin
 Judge William I. Randall
 Chief Judge Alfred L. Podolski
 Chief Justice Jacob Lewiton
 Chief Justice Franklin N. Flaschner
 Justice John V. Spalding, retired
 Richard D. Gerould, *Secretary*

34. A reorganization of the committee structure of the Conference has taken place. The former Committee on the Courts, consisting of the Chief Justices of the Supreme Judicial, Superior, and District Courts, the Judge of the Land Court, the Chief Judge of the Probate Courts, and the Executive Secretary, has been designated as the Executive Committee of the Conference.

35. The number of other committees has been expanded and they now are as follows:

Committee on Court Operations

Justice Paul C. Reardon, *Chairman*

Committee on Civil Procedure

Justice Francis J. Quirico, *Chairman*

Committee on Judicial Education

Justice Robert Braucher, *Chairman*

Committee on Criminal Procedure

Justice Edward F. Hennessey, *Chairman*

Committee on Legislation

Justice Benjamin Kaplan, *Chairman*

Committee on Court Facilities

Justice Herbert P. Wilkins, *Chairman*

36. Meeting on January 18, 1973, the Judicial Conference approved a reply to the invitation from the Chairmen of the legislative Committee on the Judiciary for an expression of opinion on the recall for temporary service of retired judges. Senate No. 23. The reply, signed by the justices, favored the bill and pointed out the need for the services on a temporary basis of retired judges.

37. The Conference approved the following recommendations with respect to coordinating legislation affecting the judicial department:

“Henceforth, any legislative proposal emanating from within the judicial system shall, sufficiently in advance of its filing, be submitted to the Executive Secretary for his consideration. Thereafter he shall examine all such proposals for internal consistency and uniformity of approach.

“In doing so, he may seek information and guidance from the Administrators Committee or from any other court personnel.

“Any such proposals about which he has reservations, doubts or objections, which cannot be resolved by communication with the bills’ proponents, should then be submitted to the Executive Committee of this Conference for its consideration and action.

“The determination of the Executive Secretary, the Executive Committee, this Conference or the Supreme Judicial Court, as the case may require, may be transmitted to the Governor or the Legislature as appropriate.

“In the exercise of his discretion, the Executive Secretary may notify the appropriate legislative or gubernatorial personnel that a given court related bill was not submitted to him for consideration prior to its filing and that, therefore, he is unable to submit any reasonable comment upon it.”

38. There was discussion of the alternatives for management of programs for judicial education to be initiated for newly appointed judges and to be continued by the superior and district courts. The work of planning and coordinating the various programs was referred to the Committee on Judicial Education and the office of the Executive Secretary.

39. Reports were received, to be discussed in later paragraphs of this report, from Justice Quirico for the Committee on Civil Procedure, from Justice Hennessey for the Committee on Criminal Procedure, from Chief Justice Hale, Chief Justice McLaughlin, Judge Randall, Judge Smith, Justice Lewiton, and Chief Justice Flaschner on the problems of their respective courts. Justice Spalding as Chairman of the Judicial Council reported on the Council's activities.

40. The Conference considered and approved the following recommendation on federal grants:

"No grant award should be accepted by any court or court related agency if, after initial approval of the Executive Secretary, the Committee or its staff makes any changes in the grant application or imposes conditions on acceptance of the grant award unless the Executive Secretary also approves such changes or conditions, thereby fostering the acceptance of uniform policies in these regards. (Probation related grants, however, should continue to be coordinated by Commissioner Sands.)"

CIVIL PRACTICE AND PROCEDURE

41. On June 29, 1972, the Boston and Massachusetts Bar Associations and the Massachusetts Trial Lawyers Association filed a petition in the Supreme Judicial Court for the adoption of rules of civil procedure in the form reported and recommended by the Advisory Committee on the Rules of Civil Procedure of the Massachusetts Judicial Conference.

42. The proposed rules with certain changes based upon suggestions received from judges and members of the bar are essentially those which were printed and published by West Publishing Company in March, 1971.

43. The full court requested and received briefs from the petitioners and others. On January 16, 1973, the court heard arguments on the petition and now has the matter under consideration.

44. The voluminous amendatory legislation, filed by Senator William M. Bulger, Chairman of the Committee on the Judiciary, for the 1972 legislative session, has been refiled for the current session of the Legislature as Senate No. 11, entitled "An Act Conforming the General Laws of Massachusetts to the Massachusetts Rules of Civil Procedure and the Massachusetts Rules of Appellate Procedure."

45. On February 21, 1973, the Committee on the Judiciary heard the proponents of the legislation. Among the speakers were Judge Moynihan, Chairman of the Advisory Committee, Attorney General Quinn, William G. Young, Legal Counsel to Governor Sargent, the presidents of the major bar associations and others. No one spoke in opposition to the bill.

46. The prospects for passage of Senate No. 11 appear to be good. If the Supreme Judicial Court adopts the proposed rules with such modifications as seem appropriate, the patient work of many judges, lawyers, and legal scholars will be rewarded.

47. A decision of a three judge federal court in Boston in the case of *Schneider v. Margossian et al* brought to an abrupt halt the ancient trustee process practice of the Commonwealth. On the facts of the case the court held that attachment of bank accounts by trustee process without prior notice to the debtor and opportunity to be heard failed to pass the constitutional test of due process.

48. The broad sweep of the opinion was somewhat narrowed by the federal court in a supplementary opinion. Nevertheless it is apparent that, except in those cases where the statutes already require notice and an opportunity to be heard as in the case of an action on a judgment, the attachment of property, real or personal, in any of its various forms will require prior compliance with the notice and opportunity conditions. Further court tests are pending in these areas.

49. Since the amendment of the trustee process and other statutes relating to the attachment of property and possibly the adoption of rules of court are needed in order to bring attachment procedures into the due process fold, both the Legislature and the Supreme Judicial Court have under consideration respectively proposals for statutory amendments and for the adoption of rules.

50. The office of the Executive Secretary has been engaged in the collection of materials from the various courts. From the replies already in hand it appears that practices relating to attachments and restraining orders have been adapted to the requirements of notice and opportunity to be heard with the possible exception of attachments of real estate.

51. In any civil action the agreement of five-sixth of the members of the jury is sufficient to render any special or general verdict. G. L. c. 234, § 34A, inserted by St. 1972, c. 460. Also inserted as § 34B was the provision that in any civil action where twelve or more jurors are impaneled, if a juror dies, or becomes ill, or is otherwise unable to perform his duty for good cause, the trial shall proceed with the proviso that except by agreement of the parties the trial shall not proceed with less than ten jurors remaining on the panel. The latter statute makes no similar provision as to civil juries of six.

52. In the 1971 legislative session the maximum recovery for wrongful death was increased from \$50,000 to \$100,000. By St. 1972, c. 440, amending G. L. c. 229, § 2, effective January 1, 1973, the amount was further increased to \$200,000.

53. Another provision, affecting the amount recoverable in a small claims proceeding, permits the court to award double and treble damages in accordance with the provisions of any general or special law if the initial amount of damages claimed is \$400 or less. St. 1972, c. 452, amending G. L. c. 218, § 21.

CRIMINAL PRACTICE AND PROCEDURE

54. The experimental program on refundable money bail conducted in two of the district courts has been completed with satisfactory results. Legislation has been filed that would institute the system in the Commonwealth and eliminate the bail bondsmen. It is apparent that these gentlemen will resist the passage of the bill but the bail bond system has so obviously imposed hardship upon persons accused of crime, particularly the needy, that its time for burial is at hand.

55. The project for the adoption of Rules of Criminal Procedure is in full swing. Sponsored by the Committee on Criminal Procedure of the Judicial Conference, this undertaking involves the members of that Committee, an Advisory Committee of more than sixty members with Justice Thomas E. Dwyer as Chairman, and a Reporter, Edgar J. Bellefontaine, Librarian of the Social Law Library.

56. In the selection of members of the Advisory Committee emphasis was placed upon securing the services of experienced prosecutors and defenders. As a result the Advisory Committee is representative of judges, lawyers, and legal scholars who have practical knowledge of the every day problems of criminal practice and procedure.

57. The members of the Conference and Advisory Committees are:

CONFERENCE

Justice Edward F. Hennessey, *Chairman*

Justice Robert Braucher, *Vice Chairman*

Chief Justice Allan M. Hale

Chief Justice Walter H. McLaughlin

Justice Paul K. Connolly

Justice Thomas E. Dwyer

Justice James P. Lynch, Jr.

Chief Justice Jacob Lewiton

Chief Justice Franklin N. Flaschner

Attorney General Robert H. Quinn

District Attorney George G. Burke

Edward J. Barshak, Esq.

Livingston Hall, Esq.
William P. Homans, Jr., Esq.
Berge C. Tashjian, Esq.
Frederic F. Meuse, Esq., *Secretary*
Philip X. Murray, Esq., *Survey Staff*

ADVISORY

Hon. Thomas E. Dwyer, *Chairman*
Hon. Ruth I. Abrams, *Vice-Chairman*
Hon. Herbert F. Travers, Jr., *Vice-Chairman*
Hon. Francis P. Cullen
William P. Homans, Esq., *Vice-Chairman*
John J. Irwin, Jr., Esq., *Vice-Chairman*
Hon. Robert L. Anderson
Hon. James W. Bailey
Joseph J. Balliro, Esq.
District Attorney William T. Buckley
Senator William M. Bulger
District Attorney George G. Burke
District Attorney John P. S. Burke
District Attorney Garrett H. Byrne
District Attorney John M. Callahan
Neil Colicchio, Esq.
Edward T. Collins, Esq.
Donald L. Conn, Esq.
Robert J. Cotter, Esq.
Hon. John C. Cratsley
Francis J. DiMento, Esq.
Richard K. Donahue, Esq.
District Attorney John J. Droney
Robert E. Fast, Esq.
Hon. Paul G. Garrity
Robert Glass, Esq.
Hon. Reuben Goodman
L. Scott Harshbarger, Esq.
Patrick J. Hurley, Esq.
Walter J. Hurley, Esq.
Albert L. Hutton, Jr., Esq.
Manuel Katz, Esq.
Edward V. Keating, Esq.
Attorney General Robert H. Quinn
Arnold R. Rosenfeld, Esq.
John M. Russell, Jr., Esq.
District Attorney Matthew J. Ryan, Jr.
Gerard F. Schaefer, Esq.
Terry P. Segal, Esq.

James S. Seligman, Esq.
Wallace W. Sherwood, Esq.
Hon. Kent B. Smith
Robert Snider, Esq.
Mr. Theodore J. Stavredes
James D. St. Clair, Esq.
James F. Sullivan, Esq.
Owen S. Walker, Esq.
Prof. Lloyd L. Weinreb
Imelda C. LaMountain, Esq.
George H. Lewald, Esq.
Hon. Jacob Lewiton
Melvin S. Louison, Esq.
Paul F. Markham, Esq.
Cortland A. Mathers, Esq.
Helen Mejan, Esq.
Manuel Morse, Esq.
Stephen A. Moynahan, Esq.
Robert V. Mulkern, Esq.
Clarice Neumann, Esq.
Henry F. Owens, III, Esq.
Hon. Francis G. Poitras
John A. Pino, Esq.
District Attorney Philip A. Rollins
Frederick J. Quinlan, Esq.
Seymour Weinstein, Esq.
Jack I. Zalkind, Esq.
Melvyn Zarr, Esq.

58. The work of the Reporter and the members of the Advisory Committee begins with the drafting by the Reporter of rules and notes relating to a particular subject matter. This material is then reviewed by the Executive Committee and submitted to the appropriate small subcommittee for further consideration.

59. After approval of the refined product by the full Committee of a block of rules, they will be submitted to the Conference Committee.

60. There have been a number of changes in the composition of the Massachusetts Defenders Committee. The Committee presently consists of:

Edward J. Barshak, Esq., *Chairman*
Frederick H. Norton, Jr., Esq., *Secretary*
Edward M. Casey, Esq.
Alexander J. Cella, Esq.
Edward J. Duggan, Esq.
William C. Flanagan, Esq.

William M. Gibson, Esq.
Joseph M. Harvey, Esq.
William P. Homans, Jr., Esq.
Francis X. Hurley, Esq.
Philip L. Sisk, Esq.

61. The staff of the Committee is now headed by Gerard F. Schaefer, Esq., as Chief Counsel. The Committee receives its principal support from the Commonwealth. This support has been supplemented by grants from L. E. A. A. through the Governor's Committee on Law Enforcement and the Administration of Criminal Justice. This has permitted the expansion in the number of staff lawyers to eighty-eight, far too few to provide the required representation of indigent persons accused of crime throughout the Commonwealth.

62. The Committee was forced to withdraw its attorneys from most of the district courts with the result that the expense of assigned counsel has been shifted to the various counties at a vastly larger unit cost.

63. With this change in the manner in which legal representation is provided in most of the district courts, it has been found that there have been great differences in the determination of the amounts of fees paid to assigned counsel.

64. In order to provide uniformity in the compensation of assigned counsel and to assure fair rotation of assignments among listed attorneys Chief Justice Flaschner has recently promulgated Rule 10 Assignment and Compensation of Attorneys by amendment to the Initial Rules of Criminal Procedure of the District Courts of Massachusetts.

65. Rule 10, effective May 1, 1973, sets compensation not to exceed fifteen dollars per hour for time reasonably spent in court and not to exceed ten dollars per hour for time reasonably expended out of court in the preparation of the case in the district court. Uniform billing procedures are established.

66. Even with the relief provided by the employment of assigned counsel in most of the district courts the Defenders Committee still is faced with funds so restricted as to prevent the employment of an adequate number of lawyers and supporting personnel to perform the task of providing quality legal assistance in the appellate and trial courts for all those entitled to their services.

67. The growth in the numbers of the Committee's cases regularly exceeds the increase in the size of the staff. In the following table it should be noted that the figures in the column headed "Number of new cases" represent individual defendants, not complaints.

	<i>Number of new cases</i>	<i>Received</i>	<i>Number of full-time lawyers</i>
1963	1,708	\$ 88,570	7
1968	18,218	789,488	58
1969	22,183	837,888	58
1970	27,880	966,832	65
1971	35,207	1,080,977	74
1972	39,969	1,162,553	75

The approximate average cost per case was \$28.64.

68. The Massachusetts program to compensate victims of violent crime is markedly different from any other program in the United States or Canada. It is the only one, outside of Australia, to depart from the example set by New Zealand in 1963, when that dominion chose to use the machinery of an administrative tribunal to provide compensation for crime victims.

69. Massachusetts has, in contrast, set up a program in which the district courts and the Attorney General of the State handle all of the duties, which in other jurisdictions are performed by the members and staffs of administrative agencies.

70. Between July 1, 1968, when the program went into operation and July 31, 1972, 573 claims were filed and \$153,000 was actually paid out to 151 claimants. These totals were in contrast to reported crime statistics in Massachusetts which for 1970 reflected 11,542 violent crimes broken down as follows:

1) Murder & Non-negligent Manslaughter.....	197
2) Forcible Rape.....	684
3) Robbery.....	5,658
4) Aggravated Assault.....	5,003

71. The statistics for the first four fiscal years were:

	<i>FY 69</i>	<i>FY 70</i>	<i>FY 71</i>	<i>FY 72</i>
Claims Filed	55	129	138	251
No. of Hearings	9	33	41	92
No. of Denials	Unavailable	Unavailable	Unavailable	10
No. of Awards	9	33	41	82
Total Awards	\$4,498.58	\$60,885.76	\$45,974.04	\$97,296.10
Average Award	499.79	1,845.02	1,121.31	1,185.44
Total Awards Paid	1,000.00	30,000.00	65,000.00	57,000.00
FY End-Files Open	46	96	97	159

FY End-Awards

Unpaid	3,498.58	30,885.76	11,859.80	52,156.00
--------	----------	-----------	-----------	-----------

72. Of the 573 claims filed from the inception of the program to the end of the Fiscal Year on June 30, 1972, there were about 375 claims filed with the aid of counsel. In the last Fiscal Year, ending on the same date, there were 251 filed, 110 with the aid of counsel.

73. Trials of misdemeanor cases by juries of six are now authorized by St. 1972, c. 620, on a permanent basis in the following counties and district courts:

<i>COUNTY</i>	<i>COURTS</i>
Berkshire	Pittsfield
Bristol	New Bedford or Fall River
Essex	Salem or Haverhill
Hampden	Springfield
Middlesex	Lowell, Framingham, East Cambridge
Norfolk	Dedham or Quincy
Plymouth	Brockton
Worcester	Worcester

THE JUDICIARY

74. In anticipation of the probable result of the vote in the November, 1972, election on the legislative amendment to Part 2, Chapter 3, Article 1, of the Constitution which would require all judges to retire upon attaining the age of seventy, the Governor last August appointed an ad hoc committee to encourage and consider the applications of candidates for appointment to the vacancies in the various judicial offices which would occur if the amendment were approved.

75. The amendment was approved. The work of the committee and the appointments which followed will be dealt with in later paragraphs of this report.

76. On January 4, 1973, forty judges were forced to retire. All of them had many years of faithful and productive service on the bench. Yet very little recognition was accorded to them.

77. In the hope that the reader of this report will express at least silent gratitude for their valued service, their names, their courts, and the dates of their appointments are listed here.

Hon. Frank J. Donahue	Superior Court	May 11, 1932
Hon. Lewis Goldberg	Superior Court	Aug. 17, 1932
Hon. Felix Forte	Superior Court	Dec. 6, 1939

Hon. Horace T. Cahill	Superior Court	Aug. 27, 1947
Hon. Frank E. Smith	Superior Court	Sept. 17, 1947
Hon. Charles Fairhurst	Superior Court	Aug. 18, 1948
Hon. Wilfred J. Paquet	Superior Court	Jan. 9, 1952
Hon. Reuben L. Lurie	Superior Court	July 8, 1954
Hon. Frank W. Tomasello	Superior Court	July 17, 1958
Hon. Amedeo V. Sgarzi	Superior Court	Dec. 20, 1962
Hon. Edward McPartlin	Land Court	Mar. 20, 1952
Hon. John A. Costello	Probate Court	June 30, 1938
Hon. Walter L. Considine	Probate Court	Nov. 2, 1949
Hon. F. Anthony Hanlon	Probate Court	Dec. 2, 1942
Hon. George E. Rice	Probate Court	Aug. 18, 1948
Hon. Carl E. Wahlstrom	Probate Court	May 22, 1940
Hon. Robert G. Wilson	Probate Court	Dec. 18, 1940
Hon. Elijah Adlow	Boston Municipal Court	Oct. 10, 1928
Hon. Daniel J. Gillen	Boston Municipal Court	May 15, 1935
Hon. Joseph Gorrasi	Boston Municipal Court	Jan. 2, 1963
Hon. Thomas W. Hoag	Boston Municipal Court	Apr. 28, 1955
Hon. Haven Parker	District Court	Mar. 31, 1955
Hon. John W. MacLeod	District Court	Dec. 10, 1941
Hon. Charles I. Taylor	District Court	July 5, 1952
Hon. Walter D. Allen	District Court	Aug. 13, 1947
Hon. Martin Colten	District Court	Aug. 13, 1952
Hon. Herman Ritter	District Court	Apr. 16, 1924
Hon. August G. Bonazzoli	District Court	May 19, 1965
Hon. Thomas E. Quinn	District Court	Apr. 20, 1932
Hon. Allan R. Kingston	District Court	Mar. 15, 1967
Hon. Alfred A. Sartorelli	District Court	Dec. 16, 1936
Hon. Gardner W. Russell	District Court	Jan. 4, 1943
Hon. Gertrude R. Halloran	District Court	Jan. 26, 1938
Hon. Samuel Eisenstadt	District Court	Nov. 1, 1937
Hon. John J. Sullivan	District Court	Nov. 22, 1944
Hon. Sadie L. Shulman	District Court	Dec. 17, 1930
Hon. Thomas M. Dooling	District Court	Sept. 29, 1965
Hon. Charles D. Bent	District Court	Dec. 27, 1956
Hon. Standish Bradford	District Court	May 17, 1966
Hon. Henry W. Kaliss	District Court	Dec. 21, 1949

Since no vacancies occurred upon the retirements of Special Justices Hoag and Gorrasi of the Boston Municipal Court, the number of vacancies was thirty-eight.

78. The ad hoc Committee on Judicial Selection consisted of twelve members, six lawyers and six lay persons. Over 1,100 questionnaires were sent to lawyers. Panels of the Committee conducted a number of public hearings. More than 550 written applications for appointment to the thirty-eight judicial vacancies were screened and

about that number interviewed. Names were then submitted to Governor Sargent as "qualified" or "not recommended."

79. Aided by the advice of the Committee, the Governor began in January to submit his appointments to the Executive Council. Time was necessarily consumed in the process of examining the qualifications of the appointees but by early April, 1973, all but one of them was confirmed by the Council.

80. Credit for the high quality of the appointments may be shared by the Committee, the Governor, and the Council. The names of the newly appointed or "elevated" judges appear later in the comments on the various courts.

81. The publicity attendant on the selection process has provided impetus to the movement for the creation of a permanent commission on the qualifications of judges. Such a commission would not only limit the Governor's constitutional freedom of choice in his appointments but would also play a part in judicial disciplinary action. Thus the slow process of constitutional amendment must be used.

82. One measure to accomplish this end is currently before the Legislature. It would lodge in the Supreme Judicial Court the ultimate disciplinary power, that of removal from office. It is generally agreed that the cumbersome constitutional methods of impeachment, address, and retirement by the Governor, with the consent of the Executive Council, because of advanced age or mental or physical disability do not provide a satisfactory means for meeting the problems inherent in the retention of judges in office during "good behavior."

83. Indeed the substantial popular vote approving the mandatory retirement amendment is indication of dissatisfaction with a system which has permitted in isolated cases the continuance in judicial office of persons of advanced years and diminished capacity.

84. Some interest has been expressed recently in a bill that would provide for the popular election of judges through a constitutional amendment. This giant step backwards must be avoided.

85. The Massachusetts Constitution, as did those of the United States and some of the other older states, withstood the onslaught of the populist movement of the nineteenth century which resulted in the widespread adoption of constitutional provisions for the popular election of judges.

86. It has taken more than a century for state after state to modify the evils of the partisanship of popular elections of judges by adoption of a Missouri plan for the selection by commission of a limited number of judicial candidates from which number the Governor makes his appointment. The judge so appointed after a given period in office is required to submit his name on a non-partisan ballot on the question of his continuance in office.

87. While the Missouri plan is certainly an improvement on the system which leaves the nomination of judicial candidates to the party machinery, it is designed as a compromise between selection by the executive and selection by popular vote. It is not needed in Massachusetts where the voters have never picked their judges.

88. A recommended Massachusetts plan would retain the present freedom of choice in the Governor but would establish a permanent judicial selection commission whose function would resemble that of the ad hoc committee. This plan would require no constitutional amendment and would assure the participation of the public, general and local, in the selection process.

89. The test of any system is in the results it produces. To those who would abandon the Massachusetts selection process a reminder is due that the constitutional command that "It is the right of every citizen to be tried by judges as free, impartial and independent as the lot of humanity will admit" is better served by an appointive judiciary than by judges who must look over their shoulders to an election.

90. Although the judicial department has now returned to the strength it possessed prior to the massive retirement of judges, precious time has been lost with the result that the backlog of civil and criminal cases has increased and will show in the case statistics when they become available for the court year ending June 30, 1973.

91. The adoption by the justices of the Supreme Judicial Court of the Code of Judicial Conduct, effective January 1, 1973, has codified standards of judicial conduct which previously have been observed by most judges whose sense of professional integrity has guided them. S. J. C. Rule 3:25.

92. The Code does reflect the stricter standards, particularly those relating to the outside activities of judges, which have developed in recent years in case law and in the American Bar Association Canons upon which the Code is modelled. The limitations and prohibitions relating to business and fiduciary activities are examples of stricter standards than those deemed acceptable a few years ago.

JUDICIAL SALARIES

93. Despite the sharp rise in the cost-of-living in the past four years judicial salaries remain at the levels established effective on January 1, 1969. The salary schedule now is:

Supreme Judicial Court	Chief Justice	\$35,000
	Associate Justice	33,800
Appeals Court	Chief Justice	32,500
	Associate Justice	31,300
Superior Court	Chief Justice	31,300
	Associate Justice	30,000

Land Court	Judge and	
	Associate Judges	30,000
Boston Housing Court	Judge	26,400-30,000
Probate Courts	Chief Judge	27,300
	Judge	26,300
	Judge (part-time)	9,400
District Courts	Chief Justice	26,300
	Justice	25,000
	Justice (part-time)	7,600-10,000
Boston Municipal Court	Chief Justice	26,300
	Associate Justice	25,000
Boston Juvenile Court	Justice	26,300
Springfield, Bristol County and Worcester Juvenile Court	Justice	22,000

94. Since January 1, 1969, the salaries of most government employees and officials have been increased in order to provide fair compensation as the purchasing power of the dollar decreases. The result is that judges and other court officials whose salaries are fixed by statute find that the gap between their salaries and those of their subordinates is rapidly closing.

95. In the November, 1972, issue of *Judicature* the salaries of the justices of the Supreme Judicial Court and of the Superior Court are ranked with the other forty-nine states and the District of Columbia. Massachusetts is ranked 11th in per capita income and 10th in population; the salaries of the justices of the Supreme Judicial Court, 14th, of the Superior Court, 13th.

96. The salaries of the associate justices of the highest appellate courts in New York, California, New Jersey, District of Columbia, Michigan, Maryland, Pennsylvania, Illinois, Louisiana, Alaska, Connecticut, Florida and Delaware exceed those of the associate justices of the Supreme Judicial Court. The salary range is from \$34,000 to \$49,665 with eight states paying \$40,000 or more.

97. The salaries of the associate justices of the trial courts of general jurisdiction in New York, District of Columbia, New Jersey, California, Maryland, Connecticut, Alaska, Florida, Georgia, Delaware, Pennsylvania, and Hawaii are in excess of those of the associate justices of the Superior Court. The salary range is from \$30,250 to \$43,317 with seven states paying more to its trial judges than Massachusetts does to its Supreme Judicial Court justices.

98. It is obvious that substantial judicial salary increases are needed in order to compensate Massachusetts judges at levels which other states, some a good deal smaller, have found to be justified. The salary bills which are pending in the current session of the Legislature would provide a modest approach to those levels.

COURT MANAGEMENT

99. The last annual report stated that a Law Enforcement Assistance Administration grant was made to the Supreme Judicial Court for additional personnel to assist the court in the discharge of its supervisory functions by expanding the capabilities of the Office of the Executive Secretary. With this expanded staff, the Office of the Executive Secretary has been able to become involved in many areas which have required increasingly more attention.

100. Last year it was determined that the inadequacy of court house facilities was a top priority matter. As a result, a federally-funded study of the court facilities in the Suffolk County Court House and of court records management throughout the state is being conducted under the auspices of the Supreme Judicial Court and the Office of the Executive Secretary. Later paragraphs of this report describe the project.

101. Judicial education programming has expanded in the last year to three different areas: training for new judges, continuing education for judges and management training for para-judicial personnel.

102. This spring, in addition to the continuing education programs for Superior and District Court judges, seminars will be held for the first time for newly appointed judges of all courts (51), Probate Court judges and District Court clerks.

103. Under St. 1972, c. 593, court personnel for the first time have been able to take advantage of the programs of the Training Section of the Department of Administration and Finance in the areas of management and human relations. Court personnel have attended and evaluated these programs and this office is now working with the Training Section in developing programs aimed strictly at the orientation and training of court personnel. It is hoped that these programs will be underway within the next year and that all court personnel will participate in one of the programs offered.

104. This office is continuing to publish the quarterly newsletter, *Docket*. The reaction from the courts has been good and it is hoped that it will be published more often.

105. A Citizen's Manual on the Courts is being developed by the Massachusetts Court Administrators Committee and will be published in the fall.

106. A study of the uses of electronic data processing in the various courts caused the preparation of a report that led to the decision of the justices to authorize the creation of a Department of Data Processing, which will report to the Executive Secretary. Thanks to funding approved by the Committee on Law Enforcement and the

Administration of Criminal Justice, a Director of Data Processing, Alex Wilson, was hired in the spring of this year.

107. He has started developing a plan for a data-processing system for all the courts. The equipment that will be procured for the Criminal Case Management Project of the Superior Court will become the nucleus for a Judicial Data Processing Center.

108. A study was completed last fall that measured the allocation of resources to the District Courts in relation to their workload. As had long been suspected, some courts seem to have been better treated by the budgeting authorities than others with roughly the same amount of work.

109. In 1972 at the request of the justices a study was made of court house security measures in effect in the various states. From this has developed requests to all the courts to develop security plans and report them to this office which will proffer such advice and help as it can.

110. The Office of the Executive Secretary filed a package of 12 bills for the 1973 legislative session. The proposed legislation concerned such matters as removal of the three person limit on the staff of the Executive Secretary and expanding the duties of the office; expanding the powers and duties of the Chief Justice of the Superior Court; providing for trial without jury in the first instance in eminent domain cases; expanding the administrative staff of the Chief Judge of the Probate Courts; authorizing the use of facilities approved by the Supreme Judicial Court for storage of old court records; permitting use of first class mail in the process of serving juror summonses; and several amendments to the judges' pension law.

111. The role of the Office of the Executive Secretary with regard to legislative matters will be expanding in the future because of the action taken by the Judicial Conference reported in paragraph 37 of this report. A substantial staff effort will be required to do this job.

112. The Supreme Judicial Court has adopted a new rule, Supreme Judicial Court Rule 3:23, dealing with the exercise of the inherent powers of the courts under the landmark decision in *O'Coin's, Inc. v. Treasurer of the County of Worcester*, 1972 A. S. 1631, which held that a judge may bind a county contractually for expenses reasonably necessary for the operation of his court and may issue an order for payment of the obligation. To insure that these inherent powers are exercised responsibly the court adopted Rule 3:23.

113. The Rule establishes standards and designates judicial officers who must approve in writing any such exercise of inherent powers by a judge: for the Appeals Court, its Chief Justice; for the Superior Court, its Chief Justice; for the District Courts, their Chief Justice; for the Boston Municipal Court, its Chief Justice; for the Probate

Courts, their Chief Judge; for the Land Court, its Judge; and for all other courts, the Chief Justice of the Supreme Judicial Court. Copies of requests for written approval and such approvals must be filed with the Executive Secretary.

114. Fiscal 1972 was the second year in which the Chief Justice of the District Courts had the assistance of an Administrative Office to assist him in exercising his powers of general superintendence of the District Courts. Staffed with five professionals, the office serves him in a general staff capacity, and has also concentrated in several specific areas.

115. The office has helped plan and execute three regional programs for District Court judges, each program having been presented on three weekends. Concentration was on the criminal law, and more such conferences are planned for the future. A meeting of Justices is also being planned in order to bring together those District Court judges having administrative responsibilities in their courts. A weekend conference of all District Court clerks has also been held in cooperation with the association of Clerks of District and Municipal Courts, and was very successful. The office has also helped establish a pre-service training program for all new judges, consisting of two weeks of joint sitting with more experienced colleagues and several seminar sessions. The development of a District Court benchbook is also underway.

116. The Administrative Office has also rendered substantial staff assistance to the committee of four judges and two clerks that has been appointed to investigate alternative means of preserving testimony in District Court proceedings. An interim report has been rendered that demonstrates the tremendous amount of work that has been devoted to insuring that an appropriate means of transcribing District Court proceedings will become a reality.

117. A third area of concentration has been the development of performance standards for the seventy-two District Courts of the Commonwealth. Now just getting underway, this project seeks to achieve the definition of desirable performance levels in a large number of District Court activities. It also contemplates an organized attack on the problem of making uniform the forms in use throughout the District Courts.

118. Other more general activities of the office include rendering counsel to the Chief Justice on questions of law that arise out of the administration of the District Courts; assisting him in keeping the District Courts apprised of changes in laws affecting them; preparing drafts of Rules, Administrative Regulations and proposed legislation; collecting statistics from the courts, and working on many shorter term projects. Ongoing efforts have also been directed toward work-

ing with the Governor's Committee on Law Enforcement and Administration of Criminal Justice in order to develop a computerized system for providing more detailed information on the flow of criminal cases in the District Courts.

PHYSICAL FACILITIES

119. As last year's annual report indicated, persons within the court system overwhelmingly consider the inadequacy of court house facilities to be a matter of immediate attention. Because the problem is so acute, the Massachusetts Court Management Survey staff submitted for consideration by the Committee on Law Enforcement and the Administration of Criminal Justice a draft proposal for a statewide facilities study. No action was taken on this proposal.

120. A more limited proposal, however, was later submitted. As a result, the Committee on Law Enforcement and the Administration of Criminal Justice made a grant award to the Supreme Judicial Court through the Executive Secretary's office to undertake a study of court facilities in the Suffolk County Court House and of records management throughout the state. The study began early in January under the direction of Doctor Michael Wong, a space management consultant and architect who directed the very successful Foley Square Project in New York.

121. In brief, the study will include the following:

- (1) Analysis of present and projected space needs in the Suffolk County Court House with immediate attention to the urgent needs of the Appeals Court, the Boston Housing Court, the Superior Court's jury pool and the location of a centralized electronic data processing center for the entire judicial system. Recommendations on these specific items will be submitted by early May;
- (2) Development of short-term and long-term recommendations for the space needs of the Suffolk County Court House. This phase of the project will likely extend through the calendar year 1973;
- (3) Evaluation of alternatives for meeting these needs, including specific evaluation of the expected recommendations of the City of Boston financed study by Universal Engineering, Inc.;
- (4) Study of security, safety, sanitation and health conditions in the Suffolk County Court House and the development of standards in this area;
- (5) State-wide study of problems associated with court records storage;
- (6) Development of a "methodology" for use in assessing court space needs throughout the Commonwealth.

122. The Special Legislative Commission on Court House Facilities issued an interim report on the Suffolk County Court House in

December, 1968. That report was basically a recapitulation of testimony offered at a public hearing and did not include any professional evaluation of that testimony.

The same Commission received a space study report from the Canadian engineering firm of Huza-Thibault-Borek in June, 1970. However, that report has been subjected to serious criticism and, indeed, the passage of time has shown some of its basic projections to be clearly erroneous.

123. More recently, the City of Boston has hired the firm of Universal Engineering, Inc., to determine the amount of space that could be made available by renovation and expansion of existing court facilities. That project, however, does not include within its scope any in-depth calculation of present or future space needs.

124. Therefore, despite all previous studies, a study of the sort to be done by Dr. Wong's group, Space Management Consultants, is essential to planning properly for necessary court facilities in Suffolk County.

125. No such study can prove successful without the complete cooperation of all courts concerned and their related agencies. The Supreme Judicial Court has agreed to exercise its supervisory and inherent powers of superintendence to carry into execution those recommendations of Space Management Consultants which it approves and accepts. Also each court and court-related agency housed in the Suffolk County Court House, the Massachusetts Defenders Committee, the City of Boston, and the organized bar associations have been urged to give their utmost cooperation in this project, and all have already designated a person to represent them for the purposes of coordination and liaison with the project.

126. Under the supervision of the office of the Executive Secretary, actual interviews and general information gathering have continued throughout the early months of 1973. The first interim recommendations, concerning the Appeals Court quarters, were made in February to avoid any delay in construction work to be done on those quarters. As a result, the Superior Court Jury Pool will temporarily be moved from the fifteenth floor of the New Court House to the third floor mezzanine and the displaced Superior Court Officers will be moved to the seventh floor mezzanine.

127. A report on the first phase of the project will be issued early in May. A second report will be made at the end of August and a final report issued at the end of 1973.

128. It is important to note that the Office of the Executive Secretary, in conducting this study has been acting as the administrative agency for the Supreme Judicial Court with regard to court house planning throughout the state. It is hoped that, upon its completion,

the Suffolk County Court House Facilities Study will be of substantial use in future court house facilities planning.

BARNSTABLE COUNTY

129. Work on renovations, alterations and a small addition to the Barnstable "Old Court House," now designated as the Superior Court House, was started in the spring of 1972 and court functions were curtailed from June through October. The work of the general contractor was completed in January 1973. Some of the furnishings have not yet been delivered, but all offices attached to the Superior Court are functional. It is expected that there will be little further inconvenience to court personnel or the public.

130. With the completion of the new Second District Court House in Orleans (opened November 22, 1970) and the new First District Court House in Barnstable (opened September 20, 1971) as well as alterations to the Superior Court House, the county commissioners believe that they have alleviated the need for expanded court facilities and do not have any plans for additional work.

BERKSHIRE COUNTY

131. Construction is still proceeding on an addition to the present District Court and Registry of Deeds buildings in Pittsfield. The addition includes a new courtroom which will be able to accommodate six-man jury trials, ten to twelve additional offices that can be used for expansion of a probation officers' department and providing office space for probation officers in juvenile cases. Some space will probably be assigned to the Massachusetts Public Defenders' office in Berkshire County. It is expected that the addition will be completed during the summer of 1973.

132. No improvements of court house facilities anywhere else in the county have been made despite recurring complaints from Williamstown, Adams and North Adams about inadequate facilities. A bill is before the Legislature, however, to borrow money for planning and construction for the District Court in a new city hall in North Adams.

BRISTOL COUNTY

133. St. 1971, c. 1068, established the Bristol County Court House Board to make a study of improving the present facilities in Fall River, New Bedford, and Taunton and to study the possibility of building a centralized court house at a site to be selected by the Board. The Board reported in the spring of 1972.

134. The report proposed several alternatives:

- (1) Expand all three court houses to serve all Probate Court, Superior Court and closely related functions for their portion of the county.
- (2) Expand the Taunton Court House to serve all functions of a centralized court house except that the Fall River and New Bedford court houses would retain a probate courtroom, a Superior Court non-jury courtroom, a law library and registry of deeds.
- (3) The New Bedford Court House would serve all functions of a centralized court house except the Fall River and Taunton court houses would retain a probate courtroom, a superior non-jury court room, a law library and a registry of deeds. The Registry of Probate and County Treasurer's office would remain in Taunton.
- (4) Expand the Fall River Court House to serve all functions of a centralized court house except that the New Bedford and Taunton court houses would retain a probate court, a superior court non-jury courtroom, a law library and registry of deeds. The County Treasurer's office would remain in Taunton.
- (5) The Taunton court house would be expanded to serve all functions of a centralized court house.
- (6) The Fall River Court House would be expanded to serve all functions of a centralized court house.
- (7) Construction of a new centralized court house at a readily accessible expressway site.

135. Of these alternatives only 1, 5, 6 and 7 were given in-depth consideration in the report. Pursuant to this report, a number of bills have been filed in the Legislature for construction of new facilities or renovation of existing buildings.

136. The New Bedford Superior Court House was renovated to improve the chambers of the Justices.

137. With the expansion of the district court house in Attleboro, the Probate Court Justice is considering holding regular sessions in that building.

138. The district court house in Fall River is in the process of being remodeled to provide adequate office space for the Juvenile Court Probation Office and for the court psychiatric clinic. Two small hearing rooms will be established, one for the regular use of the Juvenile Court and the other to be assigned. The main court room is being renovated with carpeting, a lowered ceiling, acoustical treatment of the walls, and installation of a loud speaker and recording system.

139. Legislation was also filed by the county commissioners to expand the Fall River District Court House and build a new Third District Court House at a site to be determined later.

DUKES COUNTY

140. There have been no changes in the one courtroom court house at Edgartown shared by the Superior, Probate and District Courts. The county commissioners have no immediate plans for any renovation or expansion of the court facilities and have made no provision for funds.

ESSEX COUNTY

141. The 1972 session of the Legislature authorized a bond issue of \$400,000 to repair and renovate the deplorable Salem Superior Court House, St. 1972, c. 468. The renovation will include roofing, painting, plumbing, the electrical system and the elevators. The architect has been chosen and work is expected to be completed in late 1973 or early 1974.

142. The 1972 session of the Legislature also authorized a budget amount of \$100,000 to repair and renovate the Newburyport Superior Court House. The architect has been chosen and the contract awarded. The estimated completion date for this project is July 1973.

143. All outside work has been completed (painting, facing, roofing) on the \$300,000 renovation of the Lawrence Superior Court House. The interior work is expected to be completed in July 1973.

144. Construction is continuing on a combination police station and court house for the Gloucester District Court. The county entered into a joint agreement with the City of Gloucester for this project and the completion date is estimated to be sometime in June 1973.

145. The present facilities for the First District Court in Salem are not adequate for the needs of the court. Legislation has been filed for the construction and equipping of a new court house. This bill has been enacted into law.

146. The facilities for the District Court of Peabody are rented from a private owner in the City of Peabody. As the building does not meet the increasing needs of the court, legislation has been filed for the construction of a new court house.

147. Usable space is severely restricted for the district courts in Amesbury, Newburyport, and Ipswich, all of which utilize facilities rented from their respective towns or cities. The county commissioners consider these buildings to be adequate and have filed no legislation.

FRANKLIN COUNTY

148. Quarters for the District Court of Eastern Franklin have been relocated to 34 North Main Street, Orange. Authorization has been given for the installation of air-conditioning in the District Court of Franklin at Greenfield.

HAMPDEN COUNTY

149. St. 1971, c. 1112, authorized the county commissioners to construct a new building with facilities for the courts and various county departments and to renovate the existing Superior Court building. The new Springfield facilities will be for the Superior Court, the District Court of Springfield, the Probate Court, the Registry of Deeds, the Registry of Probate and various county departments. It is expected that the existing Superior Court building will be renovated for use by the Juvenile Court of Springfield or other county purposes. The county is authorized to borrow up to \$15 million for this project.

150. The contract for relocation of utilities was awarded January 3, 1973 and ground was broken for this relocation on February 22. It is anticipated that the general contract will go out to bid in the early spring and that the contract will be awarded before the end of May.

151. Both district courts at Palmer and Chicopee are reported to need substantially more space than they presently have.

HAMPSHIRE COUNTY

152. A Court House Building Committee was appointed early in 1972 with instructions to bring in plans for the renovation and expansion of courthouse facilities in Northampton.

153. The Legislature passed a \$3,300,000 bond issue authorizing Hampshire County to construct and renovate new Superior Court, District Court, Probate Court, Registry of Deeds and probation office facilities. St. 1972, c. 454. The architectural plans have been completed and have been submitted to the Bureau of Building Construction. They were scheduled to be advertised for bid in March, 1973, and it is expected that it will take approximately two years to complete the project.

154. The plans provide for the relocation of the present Registry of Deeds, County Extension Office and Probate Court into new expanded facilities on King Street. It is then proposed to tie together, by means of an overhead corridor and tower, the present court house and the Hall of Records, to build an extension on the back of the Hall

of Records, and the combined buildings will then provide two Superior Court courtrooms on the top floor with Superior Court probation offices and court clerks' offices on the same floor adjacent to the courtrooms. Provision is also made for the District Court on the second floor including three courtrooms and expanded probation offices. The District Attorney and Grand Jury Room will be on the ground floor.

MIDDLESEX COUNTY

155. Construction is continuing on the East Cambridge court house complex. This seemingly endless project was begun in 1963 at an estimated cost of \$16 million. In January of 1972, the county commissioners were authorized by St. 1972, c. 4, to borrow the last \$17.5 million which is said to be needed to finish the approximately \$65 million structure.

156. On February 1, 1972, a contract was awarded to a construction company to complete the building. The contract provided 500 days for the completion of all work specified and work commenced on February 14, 1972. The anticipated date of completion was scheduled for June 30, 1973. It is now anticipated that work will not be completed earlier than November of 1973.

157. It is expected that upon completion of the project there will exist a serious problem due to lack of parking facilities. Because original plans to raze the old court house and Registry of Deeds have been dropped due to the incredible rise in costs, no provisions have been made for parking. The increase in activity expected with the new building will probably further aggravate the problem.

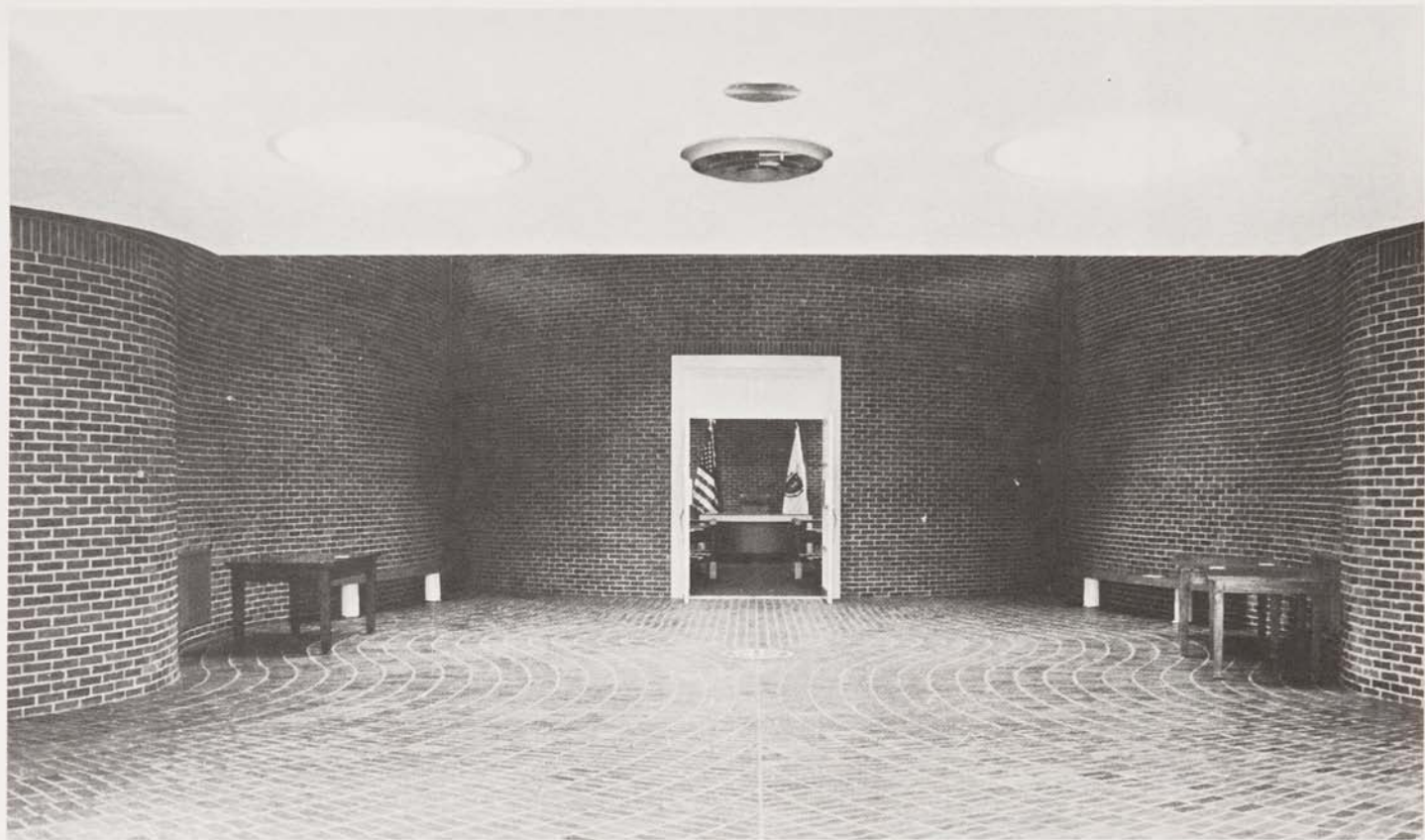
158. Concord's new district court house was completed on September 8, 1972. The new building was visited by a representative of the Executive Secretary's office. It is extremely attractive and the courtrooms provide a model for acoustical design that should be utilized in future court houses. The pictures which follow give interior views of a courtroom and the lobby.

159. Additions and alterations to the Lowell District Court were completed November 21, 1972. The work included interior re-decoration and exterior restoration.

160. The repairs and alterations on the Malden District Court House are expected to be completed in the spring of 1973.

NANTUCKET COUNTY

161. The county acquired new court facilities in 1966 and this office has received no complaints concerning their adequacy.



NEW CONCORD DISTRICT COURT HOUSE—FOYER



NEW CONCORD DISTRICT COURT HOUSE — COURT ROOM NO. 1

NORFOLK COUNTY

162. The need for additional space in the Dedham courts is still reported to be critical. It is now two years since a study recommended construction of a new Superior Court building with use of the old building for expanded activities of the Probate and District Courts. The court house was last renovated in 1895.

163. There was a hearing on February 28, 1973, before the Committee on Counties concerning House Bill No. 3910 which calls for construction of a new court house in Dedham. In the open executive session which followed the day's hearing, the Committee voted to hold the bill and said that it would be necessary to communicate with the Chief Justice of the Superior Court and other judicial officials.

164. Further delay on this necessary project will simply add to the expense of the construction as building costs continue to escalate each year.

PLYMOUTH COUNTY

165. The additions and alterations to the Superior Court House in Brockton have been completed, including the upgrading of the four judges' lobbies.

166. Construction will soon begin on an addition to the district court house in Hingham. St. 1972, c. 627. The architect has been named and various preliminary problems are being resolved before the matter can be put to bid.

167. The county commissioners recently signed a new lease with the Selectmen of Wareham which provides for two additional rooms for the Fourth District Court of Plymouth. Also a bill has been filed for funds to build a new court house for the Fourth District Court, centrally located in the Rochester-Wareham area. Under the provision of St. 1970, c. 663, land has been purchased in the Town of Rochester for this purpose.

168. Two bills have also been filed for acquisition of land for parking areas adjacent to the Brockton District Court and to the Plymouth Court House.

169. The county commissioners are seeking authorization to have a study made of the complex of court facilities — Superior, Probate, and District — with related offices in the Town of Plymouth.

170. The county commissioners and the treasurer have moved into new offices in Plymouth, relieving the crowded conditions in the court house to some extent so that the Clerk of Courts will be able to move into the Treasurer's old office. This change will provide larger and more adequate quarters and two vaults for storage. The old county commissioners' office is being remodelled into a small courtroom or hearing room.

SUFFOLK COUNTY

171. A great deal of activity has been going on with regard to studying the many problems of the Suffolk County Court House. These problems reached crisis proportions with the creation of the Appeals Court and the Boston Housing Court, both of which are located in the New Court House.

172. The Public Facilities Department of the City of Boston is now preparing documents for the replacement of the roof of the Old Court House. Also funds have been allocated for the repair of the exterior masonry of the New Court House. Upon completion of the latter job, the unsightly wooden structures around the New Court House will be removed.

173. A bill has been filed under which the state would pay 75% of the Suffolk County Court House costs instead of the current 30% and the City of Boston's 70% share would be reduced to 25%. This is a highly desirable change that should be adopted. The current appointment of costs is not at all representative of the current utilization of court house space.

174. A rehabilitation of the East Boston District Court has been completed. The project provided additional space for the clerical staff of the court.

175. The Public Facilities Department is also considering plans for renovation of the South Boston District Court's quarters.

176. The District Courts in Chelsea, Charlestown and West Roxbury still have serious inadequacies in their facilities. The Chelsea facilities, in particular, are totally dilapidated and should be replaced.

WORCESTER COUNTY

177. New district court houses in Clinton and Dudley were completed on April 27, 1972 and May 4, 1972 respectively.

178. The Athol District Court has been transferred to a new site. The Legislature has authorized the county commissioners to borrow money for the preparation of plans and for the acquisition of land for a court house for the First District Court of Northern Worcester (Gardner-Athol) and for a court house for the Fitchburg District Court. St. 1972, c. 629.

179. The current facilities of the Fitchburg District Court are reported to be completely inadequate, and, it is hoped, that with legislative authorization, suitable quarters will be made available as quickly as possible.

180. The Central District Court of Worcester and the District Court of Winchendon are reported to be badly overcrowded.

181. A bill has again been filed to construct a Juvenile Court House in the City of Worcester to house the Worcester Juvenile Court which was created in 1969. The court is currently located in a rented house with an inadequate amount of space.

LIBRARIES

182. Concern with the condition of the county law libraries continues as no substantial improvement in these libraries is discernible. With but few exceptions there has been no attempt to modernize the collections during the period of this report. Notwithstanding the substantial increase in the cost of maintenance of the existing holdings and the need for new and costly services the appropriations for these institutions have remained relatively stable over the last several years. In most instances this has compelled a curtailment of the upkeep of important parts of the library on the one hand and has made it impossible to provide new and essential materials on the other.

183. A common law system of jurisprudence looks to other such jurisdictions for precedent. When the laws of these states are not available to the county courts an important part of the decision-making process is absent. This imposes a special burden on the courts where under the provisions of G. L. c. 233, § 70, they must take judicial notice of these laws. Moreover, whereas the litigants must generally bring the court's attention to the foreign law, if the county libraries do not have the reports and statutes or where they are out of date, it is the litigants who are likely to be denied justice.

184. The absence of up to date sources of basic law imposes an additional burden on the litigants and the courts where the case depends on the interpretation of one of the many uniform laws adopted by the Commonwealth. In these cases precedent from the jurisdictions that have also adopted the statute is considered very persuasive, if not binding on our courts.

185. It seems apparent that it is in the best interest of the residents of the several counties and the courts that must administer justice in those counties that the law libraries are brought up to a minimum standard and that they are maintained as effective repositories of the law.

COMMENTS ON THE VARIOUS COURTS

SUPREME JUDICIAL COURT

186. With the retirements of Associate Justice R. Ammi Cutter in June, 1972, and of Associate Justice Jacob J. Spiegel in October, 1972, there occurred two vacancies which were filled by the appointments of Professor Benjamin Kaplan of Cambridge and Herbert P. Wilkins, Esq., of Concord.

187. Justices Cutter and Spiegel had served the court with distinction for over fifteen and eleven years respectively. Appointed on September 21, 1972, Justice Kaplan has brought to the court from the Harvard Law School a wealth of legal scholarship. Justice Wilkins, son of the late Chief Justice Raymond S. Wilkins, has had an extensive and active practice in the appellate and trial courts of the Commonwealth. He was appointed on November 6, 1972.

188. It is interesting to note that in a period of about three years six out of the seven justices have been appointed to vacancies on the court, all of them by Governor Sargent.

189. Judge Spalding has continued to serve as a master in post-conviction cases and other assignments, relieving the court in its single justice work. Judge Cutter similarly has served on various assignments, including one from the United States Supreme Court.

190. Miss Ruth I. Abrams, appointed as an Associate Justice of the Superior Court, has been succeeded in the office of Special Counsel to the Justice by Daniel J. Johnedis, Esq. In addition to the responsibility for examination of records and briefs on appeal and preparation of digests for the justices prior to argument he has, with Frederick J. Quinlan, Clerk of the Supreme Judicial Court for the Commonwealth, assisted the court in the screening of appeals to and from the Appeals Court.

191. Although the new screening process does require additional time and effort on the part of the justices, the Appeals Court has brought a substantial and welcome measure of relief to the court in its appellate work.

192. It is estimated that in the court year of 1972-1973 there will be 188 decisions, exclusive of advisory opinions, as compared with 414 in the previous year. While quantity is not necessarily a mark of quality, the length of recent opinions in important and complicated cases is an indication that the court is now better able to give exhaustive treatment to such cases than it formerly was.

193. The court in recognition of its responsibility of superintendence of the court system and of the need for more active discharge of that responsibility has undertaken through the designation of each associate justice to a particular field of administrative work to keep itself informed of the problems of the system and to determine the policies to be executed by its administrative officers.

194. In addition to the attention given to the study of the American Bar Association Canons of Judicial Conduct which resulted in the adoption of the Code of Judicial Conduct, previously described in this report, the court has completed its work on other major rule making tasks and has under active consideration certain others.

195. Effective October 2, 1972, S. J. C. Rule 3:22 Canons of Ethics and Disciplinary Rules Regulating the Practice of Law was adopted by the court. With a few amendments the Canons are those appearing in the American Bar Association's "Code of Professional Responsibility and Canons of Judicial Ethics" (1970).

196. Following the decision in *O'Coin's, Inc. vs. Treasurer of the County of Worcester*, Mass. Adv. Sh. (1972) 1631, the court adopted Rule 3:23 Certain Contracts by Judicial Officer. This rule may be described briefly as a requirement of complete exhaustion of remedies before the power of a judge may be invoked to incur financial obligations not otherwise provided for by law. Procedures for seeking approval from the appropriate judicial officer, as he is defined, are provided in the Rule.

197. Having approved the Rules of Practice and Procedure before the Appeals Court, the court on November 27, 1972, adopted S. J. C. Rule 3:24 Rules for the Appellate Review of Cases within the Concurrent Jurisdiction of the Appeals Court and the Supreme Judicial Court. The Rule requires the entry of all such cases in the Appeals Court and defines the procedure thereafter to be followed in seeking direct appellate review by the Supreme Judicial Court. Also covered by the Rule are provisions for Direct Appellate Review either by action of two justices or on certification of the Appeals Court and the procedure for seeking further appellate review by the Supreme Judicial Court.

198. In order to add the Appeals Court to the provisions of three S. J. C. Rules, the court adopted amendments to S. J. C. Rule 3:07 Records of the Supreme Judicial Court and of the Superior Court — Form, Style, and Size of Papers, S. J. C. Rule 3:13 Maintenance of Appointment Docket and S. J. C. Rule 3:16 Judicial Conference.

199. The court also examined and approved Rules and Forms of the Housing Court of the City of Boston.

200. Although fewer appeals were entered during the court year than previously, there was a substantial increase in the number of opinions. Including seven advisory opinions, there were 421 opinions in 1971-1972 as compared with 340 in 1970-1971.

201. The large volume of cases caused a further increase in the number of days required for the disposition of appeals from the date of entry in the clerk's office to consideration by the court (the day of argument or submission on briefs), and from consideration to decision by the court.

	<i>Average Days from E to C</i>	<i>Average Days from C to D</i>	<i>Average Days from E to D</i>
1971	148.21	58.42	206.63
1972	152.35	67.31	219.66

202. With the reduction in the appellate case load caused by the establishment of the Appeals Court, the trend of increase in delay in reaching cases for argument in the full court will be reversed.

203. Attention must be given to cutting down the time consumed in perfecting appeals after decision in the trial courts. Greater diligence on the part of all concerned, judges, lawyers, court stenographers, and clerks, is necessary so that the period from the time of verdict or decision in the trial court throughout the entire appellate process to decision by the appellate court may be shortened and brought within reasonable limits.

APPEALS COURT

204. Recognizing the compelling need for relief for the justices of the Supreme Judicial Court, the Legislature passed and the Governor approved the legislation creating the Appeals Court. G. L. c. 211A, inserted by St. 1972, c. 740. The act became effective on August 16, 1972, at which time the appointments to the bench of the court were submitted to the Executive Council by Governor Sargent.

205. Associate Justice Allan M. Hale of the Superior Court was named as Chief Justice of the Appeals Court. The five Associate Justices named were Associate Justice David A. Rose of the Superior Court, Judge Edmund V. Keville of the Probate Court for Suffolk County, Reuben Goodman, Esq., Donald R. Grant, Esq., and Christopher J. Armstrong, Esq.

206. The quality of these appointments is excellent. The court is fortunate in starting off in life with judges of varying backgrounds in the law and of wide experience either in practice or on the bench or both. All six judges were sworn in by the Governor on October 6, 1972.

207. The justices, with encouragement and assistance from the justices of the Supreme Judicial Court, were ready by November 13, 1972, to sit to hear arguments of their first cases. The first panel consisted of Chief Justice Hale and Justices Keville and Grant; the second panel, sitting the week of November 20, 1972, of Justices Rose, Goodman, and Armstrong.

208. Offices for the justices and their secretarial staff, a library and consultation room were provided on the fifteenth floor of the new court house by the use of one jury assembly room and the rooms formerly used for the overnight accommodation of jurors. The court was

given the use of the courtroom on the tenth floor of the building where the single justice session of the Supreme Judicial Court had been held.

209. Space for the assistant clerks and the clerical staff was provided in the offices of John E. Powers, Clerk of the Supreme Judicial Court for the County of Suffolk, also Clerk of the Appeals Court.

210. Plans for the thorough remodelling of the fifteenth floor are about ready. The jury assembly function will be temporarily accommodated on the third mezzanine floor of the new building. The remodelling will occur during the summer months in order to cause as little inconvenience to the court as possible.

211. Reporting for the court on its operations from August 16, 1972, through December 31, 1972, Mr. Powers states that 176 cases were entered, 140 in the first instance and 36 by transfer from the Supreme Judicial Court.

212. By late December, 1972, the court released its first six opinions and has continued to hear arguments on about 40 cases each month and to write opinions. The statistics for the above period appear in Appendix II of this report.

213. The speed and efficiency with which the court was organized, housed, and made ready for its judicial business do credit to all members of the executive and judicial departments who played a part in the work.

214. As was intended, the court has brought substantial relief to the justices of the Supreme Judicial Court and will continue to do so, at the same time permitting a faster and less expensive method of appellate review for many litigants in both civil and criminal cases.

SUPERIOR COURT

215. In the earlier section of this report under the heading Delay in Court the acute conditions existing in the Superior Court brought about by the shortage of judges and the inadequacy of facilities are dealt with at length. It would be comforting to believe that with the newly appointed judges now at work an attack could be successfully mounted on the civil and criminal backlog.

216. The best opinion of persons familiar with the problems of the Superior Court is, however, that its resources still fall far short of providing the manpower required for such an attack.

217. With the enactment of the recent Constitutional Amendment requiring the retirement of justices at age seventy, and normal retirements and appointments to other federal and state courts, fifteen vacancies have occurred on the Superior Court Bench during the past year. These vacancies have been filled by the following appointments:

<i>Name</i>	<i>Date of Induction</i>
John J. McNaught	September 11, 1972
George J. Hayer	September 11, 1972
Ruth I. Abrams	September 11, 1972
Kent B. Smith	November 27, 1972
James P. Lynch, Jr.	November 15, 1972
Raymond R. Cross	February 9, 1973
Arthur M. Mason	February 8, 1973
Harry Zarrow	February 8, 1973
Eileen P. Griffin	February 9, 1973
Roger J. Donahue	February 15, 1973
James P. McGuire	February 16, 1973
Robert J. Hallisey	February 27, 1973
David S. Nelson	March 16, 1973
Samuel Adams	April 3, 1973
John P. Sullivan	April 17, 1973

218. Each of the newly appointed justices of the Superior Court has been inducted by Chief Justice McLaughlin in the county of his or her residence. Formerly, inductions were held normally in Boston. In order to emphasize the statewide jurisdiction of the Superior Court, the Chief Justice has broken with tradition and presided over these induction ceremonies from the "Berkshires to the Cape."

219. The inadequacy of judicial resources continues to be the major need of the Superior Court. Despite increasing case loads and increased complexity of cases, the Legislature has not acted to create new Superior Court judgeships. Nor has the Legislature acted to ameliorate the woefully inadequate facilities of the Superior Court in several counties.

220. During a period where many judgeships were vacant and awaiting new appointees, the Chief Justice has been compelled to assign more and more of the available judicial resources to the criminal business of the court. In the fall, it is anticipated that the Chief Justice will have a full complement of judges for the first time since he took office. At that time, the court will once again be in a position to devote substantial resources to the civil side.

221. Ten of the newly appointed justices will be attending the National College of the State Judiciary during the summer months. The National College brings together judges from every corner of the nation for the purpose of studying and discussing the latest developments in fields of law, judicial ethics, courtroom procedures and techniques, and modern judicial administration.

222. Justice Edward F. Hennessey, of the Supreme Judicial Court, in conjunction with Chief Justice McLaughlin is presenting a series of Monday afternoon seminars for the newly appointed justices of the Superior Court. The purpose of these seminars is to assist jus-

tices in assuming their new duties and responsibilities on the bench. Emphasis is placed on the day-to-day procedural problems and techniques faced by the trial judge.

223. In response to the many changes and complexities of the modern law, the Chief Justice has established a program of continuing education for the justices of the Superior Court. Last fall and again this spring weekend conferences were held at the Northfield Inn in Northfield, Massachusetts. Some of the topics discussed by experts in their respective fields were criminal law, constitutional law, sentencing, American Bar Association Standards of Criminal Justice, due process of law, comparative negligence, evidence, and federal and state relationships. The judges participated in seminars, discussion groups, and a full-day Sentencing Clinic. The response of the court to these conferences has been very enthusiastic. The justices of a circuit court greatly appreciate the opportunity to meet and discuss mutual problems.

224. The Superior Court has completed its design of a Case Management System. The purpose of this system is to apply modern management techniques including the use of a computer and remote teleprocessing terminals to facilitate the flow of cases through the Superior Court. In conjunction with the Governor's Committee on Law Enforcement and Administration of Criminal Justice, Chief Justice McLaughlin intends to establish a statewide management system which will be of service to the court, clerks, district attorneys, members of the bar, and the public. Manual implementation of this system will commence in Norfolk County later this year. According to present planning, the Data Processing System will commence operation sometime in the latter part of 1974.

225. In conjunction with the implementation of the Case Management System, the Supreme Judicial Court has directed that a Judicial Data Processing Center be established under the aegis of the office of the Executive Secretary. This center will provide data processing services, technical support, and coordination for most of the data processing requirements of the Judicial Branch of the government. The Superior Court Case Management System will be one of the first major applications of the center, and members of the staff of the Superior Court are working closely with the office of the Executive Secretary in the establishment of this center.

226. The management of jurors in Suffolk County has been automated. Under a new statute, jurors summonses are prepared by computer and mailed to the jurors. The juror lists (for use in the courtrooms), the attendance forms, ballots, and payrolls are now prepared by machine. The office of the Chief Justice is being provided with statistics on the utilization of jurors in the courtrooms and in the jury pool. This system has already resulted in substantial financial sav-

ings in Suffolk County. A feature of this system is its ability to be used in any county. A study is currently in progress by Norfolk County for the implementation of this system.

227. Michael F. Farrington, Esq., has joined the staff of the Chief Justice for the purpose of administering the system of bail commissioners and bail bondsmen. Because of the new bail laws, and the recent promulgation of comprehensive regulations governing bondsmen, commissioners, and surety agents, the court has greater responsibilities in the daily administration of the bail system. Mr. Farrington comes to the court with a substantial background and experience as the director of a Bail Project in the Suffolk County Jail.

228. Mrs. Patricia Bonelli has joined the staff of the Chief Justice as a budget administrator. In anticipation of the passage of a bill currently in the Legislature, Mrs. Bonelli is assembling the first comprehensive statewide budget for the Superior Court. Mrs. Bonelli had substantial experience in fiscal planning and management with Boston College Law School. An integrated budget for the Superior Court is an essential element in the statewide management and setting of priorities by the Chief Justice.

229. The Superior Court is one of the few trial courts throughout the country that provides a program of law clerks for its justices. However, law clerk assistance has been available generally only in the greater Boston area. With the assistance of the Governor's Committee on Law Enforcement and Administration of Criminal Justice, regional offices consisting of two law clerks and one secretary will be available in the more remote areas. Portable dictating equipment also will be available to judges on circuit. In this way, the Superior Court is attempting to provide more uniform judicial resources throughout the Commonwealth.

LAND COURT

230. The constitutional amendment forcing the retirement of judges at age seventy required the retirement of Associate Judge Edward McPartlin, who has served faithfully and well for over twenty years.

231. Appointed to succeed him was Miss Marilyn M. Sullivan, an able and experienced conveyancer. The new judge will furnish fresh energy to the court in its specialized and painstaking work.

232. The facilities for the court in the old building must continue to be a handicap to the judges and their staff. There has been considerable improvement in the appearance of the courtrooms and offices.

233. The lack of adequate and secure record storage capacity is but one of the difficulties faced by the court. If legislative action is

taken to permit removal and storage of old records in a central facility, the court will be given partial relief from this serious storage problem.

234. Total cases entered rose from 5,229 in 1971 to 5,572 in 1972. Total cases disposed of also increased in the same years from 4,252 to 5,655. Dispositions in 1972 include 250 cases dismissed under Superior Court Rule 85 Dismissal of Old Cases and 438 cases dismissed for lack of prosecution.

HOUSING COURT OF THE CITY OF BOSTON

235. Although the Housing Court had to relinquish its temporary occupancy of the single justice session courtroom on the tenth floor, it was moved across the hall into a superior court courtroom where it enjoys adequate facilities. The staff occupies offices on the same floor.

236. Under the energetic leadership of Judge Paul G. Garrity the court has been furnishing speedy and effective justice to litigants in large numbers. Housing code violation complaints constitute the bulk of its business but the court also handles a wide variety of landlord and tenant controversies.

237. With a fresh start in business the court has been able to adopt modern techniques. These include the use of electronic recording of its proceedings, flat filing of records, and the use of dockets and forms that will be readily adaptable to data processing at some date in the future.

238. Recently, under strict regulations contained in an order of the Supreme Judicial Court, Channel 2 educational television was permitted to televise for rebroadcast proceedings in the court. Use of the cameras was permitted only with the written permission of all persons in the courtroom.

239. Since the court was not in operation during the court year ending June 30, 1972, the Housing Court is omitted from the statistics in Appendix II of this report.

240. However, some indication of the volume of business of the court is given in the following table for the period from early September, 1972, through March, 1973.

	<i>Entered</i>	<i>Disposed of</i>
Criminal complaints	3,600	2,700
Sanitary, electricity and gas, building code violations		

Equity cases	300	180
Rent board appeals, Injunctions against evictions		
Summary process cases	500	300
Total	4,400	3,180

These figures are approximations.

PROBATE COURTS

241. The Probate Courts were hard hit by the loss of six experienced judges, including Chief Judge John A. Costello, by virtue of the constitutional amendment. The other judges of probate were Walter L. Considine, F. Anthony Hanlon, George E. Rice, Carl E. Wahlstrom and Robert G. Wilson.

242. Appointed to succeed Chief Judge Costello was Judge Alfred L. Podolski, Judge of Probate for the County of Norfolk. The other vacancies were filled by the following appointments: Joseph P. Warner, Esq., to the Suffolk County Court, Andrea F. Nuciforo, Esq., to the Berkshire County Court, Ernest I. Rotenberg, Esq., to the Bristol County Court, Henry R. Mayo, Jr., Esq., to the Essex County Court, Francis W. Conlin, Esq., and Special Judge Gerald D. McLellan to the Worcester County Court.

243. Chief Judge Costello's report for the calendar year 1971 adds figures for that year to the 1960 and 1970 statistics previously supplied. For nine counties the figures are:

PETITIONS FOR ADOPTION

	Berkshire	Bristol	Essex	Hampden	Middlesex	Norfolk	Plymouth	Suffolk	Worcester
1960	76	116	256	195	628	285	118	449	282
1970	104	224	495	428	1,271	520	342	526	348
1971	109	243	453	404	1,168	535	358	537	653

LIBELS FOR DIVORCE

	Berkshire	Bristol	Essex	Hampden	Middlesex	Norfolk	Plymouth	Suffolk	Worcester
1960	239	659	658	1,048	1,644	595	476	1,611	866
1970	499	1,471	1,591	1,958	4,123	1,495	1,241	2,514	2,230
1971	535	1,762	1,677	2,001	4,492	1,727	1,422	2,544	2,492

Total libels for divorce filed in all fourteen counties:

1960	8,237
1970	18,290
1971	19,974

PETITIONS IN EQUITY

	Berkshire	Bristol	Essex	Hampden	Middlesex	Norfolk	Plymouth	Suffolk	Worcester
1960	23	18	25	47	69	52	24	95	53
1970	35	57	112	127	229	118	82	161	96
1971	38	108	134	100	247	165	91	204	115

For all counties the total rose
from 1,118 in 1970 to 1,331 in 1971

244. In 1960 all probate courts collected a total of fees of \$622,137.68; in 1970, \$1,098,703.73; in 1971, \$1,237,362.28.

245. In 1970 probate judges sat in courts other than their own upon assignment of the Chief Judge 290 days; in 1971, 314 days. The special judge sat 121 days in the four western counties in 1970; 137 days in 1971.

DISTRICT COURTS

246. As noted in paragraph 77 of this report the ranks of the District Courts were thinned by the mandatory retirement of nineteen justices and special justices. Almost all of the vacancies have been filled by the following appointments, which include appointments to vacancies occurring at about the time the constitutional amendment became effective and vacancies caused by promotions:

Salvatore E. Aloisi — Chelsea, Richard L. Banks — Roxbury, Arthur Sherman — East Cambridge, Morris N. Gould — Worcester, Joseph R. Nolan — Brighton, John C. Cratsley — Roxbury, James W. Bailey — East Cambridge, George N. Hurd, Jr. — Brockton, Robert A. Belmonte — Marlborough, Andre A. Gelinas — Fitchburg, Matthew R. McCann — Leominster, Alphonse C. Turcotte — Chicopee, Thomas M. Newth — Lynn, Laval J. Leboeuf — Dudley, Samuel E. Zoll — Ipswich, Frank W. Kilburn — Nantucket, Lillian M. D'Ambrosio — Chelsea, Louis J. Gonnella — Woburn, Leonard J. Mullen, Jr. — Somerville, M. Edward Viola, Jr. — Natick, Lewis L. Whitman — Quincy, Ernest S. Hayeck — Worcester, Robert J. Moran — Palmer, George Bregianes — Springfield, Jack London — New Bedford.

247. A second full-time justice and a special justice have been added to the Brockton district court. St. 1972, c. 728.

248. Largely through federal funding the administrative staff of Chief Justice Flaschner has been expanded and the program of educational seminars for the judges continued. These and other activities in the district courts have been described in earlier sections of this report.

249. Due to a decrease in the entry of writs in motor vehicle tort cases total civil writs entered in the district courts declined from

101,068 in 1971 to 92,331 in 1972. Again criminal complaints, including criminal parking complaints, rose from 740,684 in 1971 to 926,681 in 1972.

THE MUNICIPAL COURT OF THE CITY OF BOSTON

250. After more than forty-four years of service on the bench of the Municipal Court of the City of Boston, the last eighteen years as its Chief Justice, Chief Justice Elijah Adlow was forced to retire by the terms of the constitutional amendment. Also affected were Associate Justice Daniel J. Gillen and Special Justices Thomas W. Hoag and Joseph Gorrasi.

251. Associate Justice Jacob Lewiton was appointed to fill the vacancy created by the retirement of Chief Justice Adlow. Gordon E. Doerfer, Esq., and Mario Umana, Esq., have been appointed as Associate Justices.

252. The court's civil entries, after deducting cases removed to the superior court and adding those transferred from the superior court, decreased slightly from 29,883 in 1971 to 29,743 in 1972. Tort entries dropped from 5,363 in 1971 to 4,605 in 1972, presumably as a result of "no fault" insurance.

253. There was a slight increase in criminal complaints from 16,434 in 1971 to 16,883 in 1972. The court turned over to the Commonwealth and to the City of Boston receipts from the parking tag office and from fines, fees, and forfeitures a total of \$3,530,080. The previous year the sum was \$3,015,504.

JUVENILE COURTS

BOSTON JUVENILE COURT

254. The number of cases rose from 2,167 in 1971 to 2,564 in 1972. Most of these cases require the services of lawyers from the Massachusetts Defenders Committee. Four of them have been supplied with the number expected to increase to six.

255. The cases involving children in need of care and protection, abused children, increased from 47 to 63, accounted for by more effective reporting procedures.

256. The following figures show a gratifying reduction in narcotics cases:

		1972		1971	
Possession.....	Boys	60		64	
	Girls	<u>7</u>	67	<u>16</u>	80
Being present.....	Boys	8		14	
	Girls	<u>3</u>	11	<u>5</u>	19

Illegal sales.....	Boys	0		5	
	Girls	0	0	1	6
Glue sniffing	Boys	6		4	
	Girls	0	6	0	4
Totals			84		109

257. Last summer 35 to 40 boys received guidance, employment opportunities, and recreation at the Blue Hills Center. Pending legislation would permit continuance of this program on a year round basis.

SPRINGFIELD JUVENILE COURT

258. The increase in cases in the Springfield Juvenile Court was relatively small, from 1,802 cases in 1971 to 1,851, in 1972.

WORCESTER JUVENILE COURT

259. The Worcester Juvenile Court experienced a more substantial increase in its cases. The number in 1971 was 1,544 cases; in 1972, 1,846.

BRISTOL COUNTY JUVENILE COURT

260. With the recent appointment of Howard W. Young, Jr., Esq., as justice of the Bristol County Juvenile Court, the court will be taking over the juvenile cases that previously would have been brought in the four district courts in Bristol County. St. 1972, c. 731.

CONCLUSION

261. With the additional administrative support provided to the Supreme Judicial Court by the members of the Massachusetts Court Management Survey the court has been able to take a more active part in the superintendence of the court system. In the various fields of court operations, rule making, judicial education, legislation, and court facilities the justices are able to call upon staff members to undertake necessary surveys and studies and to execute policy decisions.

262. There still remains unsolved the problem of securing and maintaining public understanding and support of the courts. The efforts of the Bar Associations, of interested organizations, such as the Massachusetts League of Women Voters, and of last year's Citizens Conference have improved the public's knowledge of court organization and operations but the sustained interest at the local level in strengthening and improving the courts is still lacking.

263. One way to remedy the situation would be through the use of permanent citizens advisory committees in each of the district courts, the courts which are closest in every sense to the citizens of the Commonwealth. This method has been successful in the experience of the Housing Court of the City of Boston. If there were seventy-two such concerned groups in Massachusetts, there would be widespread support for improvements in all the courts.

264. The office continues to receive the cooperation of the judges and other officers of the various courts and of the members of the executive and legislative departments of government. The opinions and the recommendations expressed in this report are those of the writer and for them the court is not responsible.

Respectfully submitted,

RICHARD D. GEROULD

Executive Secretary

302 New Court House

Boston, Massachusetts 02108

(Tel. 617-227-2841)

FOREWORD TO APPENDICES

The gross cost of operating all courts in both state and county as appears in Appendix I reflects an increase of \$4,457,000, and the net expenditure increased by \$3,395,000. The rate of increase was down.

The counties bore again the major portion of the increase in gross cost. The gross cost to the Commonwealth increased from \$9,414,296 to \$10,400,772, an increase of \$986,476, or about 10%. County Costs increased \$3,470,498, about 9%.

There is no change in the cost reporting method used.

Capital costs of new court house construction or major capital improvements involving a bond issue are not reflected. Only interest charges on bonded indebtedness are included.

COST TOTALS: 1957-1972

(Thousands)

	<i>Gross</i>	<i>Net</i>
1957.....	\$15,486	\$13,204
1958.....	17,312	14,628
1959.....	18,507	15,747
1960.....	18,847	16,162
1961.....	19,711	16,880
1962.....	21,343	18,118
1963.....	22,120	17,955
1964.....	23,930	19,600
1965.....	26,494	21,968
1966.....	26,960	21,541
1967.....	30,148	23,623
1968.....	34,536	28,387
1969.....	37,792	30,698
1970.....	43,599	33,979
1971.....	48,837	40,737
1972.....	53,294	44,132

APPENDIX I

COMPUTATIONS OF THE COSTS OF OPERATING THE COURTS

The cost of administering and operating the various courts of the Commonwealth was determined by the following sources of information:

1. Public Document No. 29 (Annual Report on the statistics of county finances for the year ending December 31, 1971, Bureau of Accounts, Department of Corporations and Taxation).
2. House Bill 5200, 1972 Session (estimates of county receipts and expenditures for the year ending December 31, 1972).
3. Budget Recommendation of his Excellency, Governor Francis W. Sargent, for the fiscal year beginning July 1, 1972, and ending June 30, 1973.
4. Financial Report of the Comptroller of the Commonwealth for the fiscal year ending June 30, 1972. (Public Document No. 140).
5. City of Boston and County of Suffolk Budget Recommendations for the fiscal year 1972.
6. Summary of receipts and expenditures for the fiscal year ending December 31, 1971, developed from the records of the Auditing Department, City of Boston.
7. Records of Real Property Division of the City of Boston (material developed by personal contact and conference).
8. Records of County Commissioners and Treasurers examined.

SUMMARY OF COSTS OF ADMINISTERING AND OPERATING ALL
COURTS IN THE COMMONWEALTH OF MASSACHUSETTS

	<i>Gross</i>	<i>Net</i>
Commonwealth of Massachusetts	\$10,400,772.91	\$ 8,897,132.56
Barnstable	921,825.69	785,676.65
Berkshire	698,173.36	556,970.26
Bristol	1,982,545.50	1,692,475.94
Dukes County	83,018.57	71,576.01
Essex	3,080,254.17	2,677,083.32
Franklin	342,719.71	280,086.33
Hampden	2,704,091.54	2,300,173.95
Hampshire	522,494.71	429,443.97
Middlesex	10,778,810.71	9,832,731.31
Nantucket	55,936.56	44,418.24
Norfolk	3,175,557.67	2,748,504.29
Plymouth	1,868,544.46	1,561,430.39
Suffolk	12,843,542.43	8,300,106.83
Worcester	3,835,978.45	3,388,391.85
Commitments*		566,021.08
Total	\$53,294,266.44	\$44,132,123.98

*(Total shown does not include Suffolk County. Some of the expense attendant to commitments is a proper court expense, but to determine the actual judicial cost would require an examination of each and every voucher submitted for payment to the county treasurers in connection with commitments.)

Note: Commonwealth figures are for fiscal year ending June 30, 1972.

County figures are for calendar year 1971.

NET COST OF COURTS PAID BY THE COMMONWEALTH

(For Fiscal Year Ending June 30, 1972)

	<i>Gross</i>	<i>Net</i>
Supreme Judicial Court	\$ 1,991,956.95	\$1,989,929.57*
Superior Court	1,973,771.23	1,973,770.23
Probate and Insolvency Courts	3,051,992.26	1,724,544.14
Land Court	682,631.80	579,569.51
District Courts — Administration	50,000.00	50,000.00
Board of Bar Examiners	100,285.00	57,410.00
Pensions (Retired Judges)	420,000.00	420,000.00
Judicial Council	24,575.00	24,575.00
Probation Service	1,680,560.67	1,652,334.11
Suffolk County Courthouse		
Maintenance (Acts 1935, c. 474)	425,000.00	425,000.00
GRAND TOTAL	\$10,400,772.91	\$8,897,132.56

*(\$1,161,318.57 of this item was expended for Massachusetts Defenders Committee.)

SUPREME JUDICIAL COURT

Justices' Salaries and Expenses	\$ 243,700.00
Clerk and Assistant Clerk — Salaries	48,190.32
Clerical Assistance to Clerk	20,593.28
Clerical Assistance to Justices	243,890.57
Court Expenses	24,227.00
Court Officers and Messenger — Salaries	15,693.78
Clerk and Assistant Clerk for Suffolk County — Salaries	13,238.52
Social Law Library	54,000.00
Office of the Executive Secretary	105,700.67
Reporter of Decisions — Salaries and Administration	61,404.24
Massachusetts Defenders Committee	1,161,318.57
Total (Gross)	1,991,956.95
Less — Receipts	—2,027.38
Total (Net)	\$1,989,929.57

SUPERIOR COURT

Justices' Salaries and Expenses	\$1,480,830.10
Assistant Clerk (Suffolk County)	6,790.44
Court Expenses	276,415.48
District Court Justices in Superior Court	
Salaries	137,285.01
Expenses	22,450.20
Special District Court Justices' Salaries	
(G.L. c. 212, §14E)	50,000.00
Total (Gross)	1,973,771.23
Less — Receipts	—1.00
Total (Net)	\$1,973,770.23

PROBATE AND INSOLVENCY COURTS

Judges' Salaries (Additionalittings)	\$ 22,000.00
Judges' Expenses	2,000.00
Reimbursement for Official Bonds	1,000.00
Administrative Committee	500.00
Administration	30,049.58
Total	\$ 55,549.58

Salaries and Expenses

BARNSTABLE	\$ 112,577.58
BERKSHIRE	93,361.79
BRISTOL	196,820.01
DUKES	23,337.72
ESSEX	247,498.46
FRANKLIN	73,420.00
HAMPDEN	261,755.38
HAMPSHIRE	83,208.39
MIDDLESEX	556,306.33
NANTUCKET	37,433.45
NORFOLK	314,425.21
PLYMOUTH	185,098.43
SUFFOLK	615,485.51
WORCESTER	251,264.00
Total (Gross)	3,051,992.26
Less — Receipts	—1,327,448.12
TOTAL (NET)	\$1,724,544.14

LAND COURT

Administration	\$ 682,631.80
Less — Receipts	—103,062.29
TOTAL (NET)	\$ 579,569.51

DISTRICT COURTS

Administration	\$ 50,000.00
----------------------	--------------

BOARD OF BAR EXAMINERS

Administration	\$ 100,285.00
Less — Receipts	—42,875.00
TOTAL (NET)	\$ 57,410.00

PENSIONS

Retired Judges	\$ 420,000.00
----------------------	---------------

JUDICIAL COUNCIL

Administration	\$ 24,575.00
----------------------	--------------

PROBATION SERVICE

Office of Commissioner of Probation — Salaries and Administrative Expenses	\$ 602,040.82
Committee on Probation Administrative Expenses	677.70
	602,718.52
Superior Court* Probation Officers' Salaries	1,058,884.00
Office — Supervisor of Probation	18,958.15
	1,077,842.15
Total (Gross)	1,680,560.67
Less — Receipts	—28,226.56
TOTAL (NET)	\$1,652,334.11

*(By Acts of 1956, c. 731, § 29, Compensation of Probation Officers appointed for the Superior Court is paid by the Commonwealth.)

SUFFOLK COUNTY COURT HOUSE

Maintenance

(Acts of 1935, c. 474)..... \$ 425,000.00

SUFFOLK COUNTY

SUMMARY OF COURT EXPENDITURES

	<i>Gross</i>	<i>Net</i>
Supreme Judicial Court.....	\$ 281,445.58	\$ 278,089.58
Superior Court	4,841,259.84	4,727,972.20
Probate and Insolvency Court	169,986.43	169,983.43
Municipal Court of the City of Boston	2,074,360.77	1,298,307.47*
Municipal Court of the Charlestown District.....	211,497.06	170,915.32
East Boston District Court	357,937.16	246,963.56
Municipal Court of the South Boston District ...	231,899.74	130,986.44
Municipal Court of the Dorchester District	782,759.48	602,878.39
Municipal Court of the Roxbury District	1,079,591.39	417,852.64
Municipal Court of the West Roxbury District ..	409,700.19	319,643.68
Municipal Court of the Brighton District	280,411.03	145,530.77
District Court of Chelsea.....	335,400.75	244,712.86
Boston Juvenile Court	584,923.19	584,437.19
Suffolk County Court House	1,590,705.74	1,164,024.68
Social Law Library.....	2,000.00	2,000.00
Mental Health.....	55,000.00	55,000.00
Pensions and Annuities.....	337,423.56	337,423.56
Total	\$ 12,843,542.43	\$ 8,300,106.83

*(Excess Receipts over Expenditures.)

SUFFOLK COUNTY

CITY OF BOSTON

COUNTY COURT EXPENDITURES

SUPREME JUDICIAL COURT

Clerk's Office for Suffolk	
County	\$281,445.58
Less — Receipts	—3,356.00
Total (Net)	\$278,089.58

SUPERIOR COURT

General Expenses*	
Salaries and Expenses	\$281,977.49
Court Officers' Division**	
Salaries and Expenses	903,453.11
Criminal Expenses	
Clerks and Clerical	
Assistants, etc.	
Salaries and Expenses	\$823,473.88
Jurors (Fees, etc.)	411,472.26
Witnesses (Fees, etc.)	33,776.60
District Attorney's Office	590,819.29
Probation Office	194,901.21
Total (Gross) Criminal	\$2,054,443.24
Less — Receipts	—23,538.85
Total (Net) Criminal	\$2,030,904.39

SUPERIOR COURT

Civil Expenses		
Clerks and Clerical		
Assistants, etc.		
Salaries and Expenses	\$1,086,232.72	
Masters	56,068.25	
Auditors	159,709.56	
Conciliators	17,450.00	
Jurors (Fees, etc.)	281,925.47	
	<hr/>	
Total (Gross) Civil	\$1,601,386.00	
Less — Receipts		—89,748.79
		<hr/>
Total (Net) Civil		\$1,511,637.21
		<hr/>
Grand Total (Net) Superior Court		\$4,727,972.20

*(Stenographic & confidential messenger; also furnishes supplies, materials and equipment for both Civil and Criminal Sessions.)

** (Deputy Sheriffs & Court Officers; salaries, expenses, etc., for Civil and Criminal Sessions.)

PROBATE AND INSOLVENCY COURT

General Expenses		
Salaries and Expenses	\$169,986.43	
Less — Receipts		—3.00
		<hr/>
Total (Net)		\$169,983.43

MUNICIPAL COURT OF THE CITY OF BOSTON

General Expenses		
Salaries and Expenses	\$2,074,360.77	
Less — Receipts		—3,372,668.24
		<hr/>
Total (Net)		\$—1,298,307.47*

*(Excess receipts over expenditures.)

MUNICIPAL COURT OF THE CHARLESTOWN DISTRICT

General Expenses		
Salaries and Expenses	\$191,252.06	
Maintenance*	20,245.00	
	<hr/>	
Total (Gross)	\$211,497.06	
Less — Receipts		—40,581.74
		<hr/>
Total (Net)		\$170,915.32

*(About one-half of building is used by Police Department and Civil Defense; heating expense is paid by Police Department.)

EAST BOSTON DISTRICT COURT

General Expenses		
Salaries and Expenses	\$313,677.16	
Maintenance*	44,260.00	
	<hr/>	
Total (Gross)	\$357,937.16	
Less — Receipts		—110,973.60
		<hr/>
Total (Net)		\$246,963.56

*(Building used 100% by Court; Police Department supplies heat; Operating Personnel charged to Boston Real Property Division.)

MUNICIPAL COURT OF THE SOUTH BOSTON DISTRICT

General Expenses		
Salaries and Expenses	\$199,963.74	
Maintenance*	31,936.00	
	<hr/>	
Total (Gross)	\$231,899.74	
Less — Receipts		—100,913.30
		<hr/>
Total (Net)		\$130,986.44

*(Court used about one-third of building.)

MUNICIPAL COURT OF THE DORCHESTER DISTRICT

General Expenses		
Salaries and Expenses	\$733,199.48	
Maintenance*	49,560.00	
	<hr/>	
Total (Gross)	\$782,759.48	
Less — Receipts		—179,881.09
		<hr/>
Total (Net)		\$602,878.39

*(Building used 100% by Court.)

MUNICIPAL COURT OF THE ROXBURY DISTRICT

General Expenses		
Salaries and Expenses	\$1,012,741.39	
Maintenance*	66,850.00	
	<hr/>	
Total (Gross)	\$1,079,591.30	
Less — Receipts		—661,738.75
		<hr/>
Total (Net)		\$417,852.64

*(Building used 100% by Court.)

MUNICIPAL COURT OF THE WEST ROXBURY DISTRICT

General Expenses		
Salaries and Expenses	\$358,800.19	
Maintenance*	50,900.00	
	<hr/>	
Total (Gross)	\$409,700.19	
Less — Receipts		—90,056.51
		<hr/>
Total (Net)		\$319,643.68

*(Building used 100% by Court.)

MUNICIPAL COURT OF THE BRIGHTON DISTRICT

General Expenses		
Salaries and Expenses	\$244,516.03	
Maintenance*	35,895.00	
	<hr/>	
Total (Gross)	\$280,411.03	
Less — Receipts		—134,880.26
		<hr/>
Total (Net)		\$145,530.77

*(75% of building is used by Court.)

DISTRICT COURT OF CHELSEA

General Expenses		
Salaries and Expenses	\$307,723.89	
Maintenance*	27,676.86	
	<hr/>	
Total (Gross)	\$335,400.75	
Less — Receipts		—90,687.89
		<hr/>
Total (Net)		\$244,712.86

*(About two-thirds of building is used by Court.)

BOSTON JUVENILE COURT

General Expenses		
Salaries and Expenses	\$584,923.19	
Less — Receipts		—486.00
		<hr/>
Total (Net)		\$584,437.10

SUFFOLK COUNTY COURT HOUSE

Maintenance		
Salaries and Expenses	\$1,590,705.74	
Less — Statutory share of Commonwealth	425,000.00	
Telephone Commissions	1,681.06	
	<hr/>	
		—426,681.06
		<hr/>
Total (Net)		\$1,164,024.68

SOCIAL LAW LIBRARY

General Expenses	\$2,000.00
------------------	------------

MENTAL HEALTH

General Expenses	
Salaries and Expenses	\$55,000.00

PENSIONS AND ANNUITIES

General Expenses	\$337,423.56
------------------	--------------

BARNSTABLE

COUNTY COURT EXPENDITURES

Clerk of Court	
Salaries and Expenses	\$50,869.61
Probate Court and Registry	
Salaries and Expenses	15,918.85
Law Libraries	
Salaries and Expenses	12,667.99
Superior Court	
Criminal	
Court Officers and	
Stenographers	\$19,472.51
Probation Department	14,383.28
Jurors (Fees, etc.)	39,215.76
Witnesses (Fees, etc.)	9,121.96
District Attorney's Office	8,876.79
Travel and Meals (Jurors and	
Witnesses)	2,804.90
Misc. Expenses	5,605.98
	<hr/>
	99,481.18

Civil

(Includes Supreme Judicial
and Land Cts.)

Court Officers and

Stenographers

14,075.94

Jurors (Fees, etc.)

28,278.88

Auditors

3,750.00

Masters

4,890.00

Misc. Expenses

844.45

51,839.27

District Courts

Salaries and Expenses

(Includes courthouse
rentals)

421,122.14

Courthouse Maintenance
and Operation

93,779.15

Courthouse Bonded Debt

Int. pd. 1971

176,147.50

Total (Gross)

\$921,825.69

Less — Receipts

—136,149.04

Total (Net)

\$785,676.65

BERKSHIRE

COUNTY COURT EXPENDITURES

Clerk of Courts

Salaries and Expenses

\$43,733.49

Probate Court and Registry

Salaries and Expenses

12,446.08

Law Libraries

Salaries and Expenses

18,009.20

Superior Court

Criminal

Court Officers and

Stenographers

\$16,960.65

Probation Department

17,783.06

Jurors (Fees, meals,
travel, etc.)

40,110.07

Witnesses (Fees, etc.)

3,192.47

District Attorney's Office

25,289.49

Misc. Expenses

13,475.52

116,811.26

Civil

(Includes Supreme Judicial
and Land Cts.)

Court Officers and

Stenographers

7,522.62

Jurors (Fees, etc.)

30,100.78

Auditors

6,080.00

Masters

4,635.00

Referees

960.00

Misc. Expenses

1,227.41

50,525.81

District Courts		
Salaries and Expenses		
(Includes courthouse		
rentals)	418,173.88	
Courthouse Maintenance		
and Operation	36,786.14	
Courthouse Bonded Debt		
Int. pd. 1971	1,687.50	
	<hr/>	
Total (Gross)	\$698,173.36	
Less — Receipts		—141,203.10
		<hr/>
Total (Net)		\$556,970.26

BRISTOL

COUNTY COURT EXPENDITURES

Clerk of Courts	
Salaries and Expenses	\$199,625.65
Probate Court and Registry	
Salaries and Expenses	25,434.72
Law Libraries	
Salaries and Expenses	55,655.05
Superior Court	
Criminal	
Court Officers and	
Stenographers	\$58,034.92
Probation Department	31,457.84
Jurors (Fees, Travel,	
Meals, etc.)	141,034.97
Witnesses (Fees, etc.)	27,562.10
District Attorney's Office	35,635.57
Misc. Expenses	32,237.33
	<hr/>

325,962.73

Civil	
(Includes Supreme Judicial	
and Land Cts.)	
Court Officers and	
Stenographers	58,986.92
Jurors (Fees, etc.)	86,507.58
Auditors	15,782.50
Masters	11,217.00
Misc. Expenses	4,645.38
	<hr/>

177,139.38

District Courts	
Salaries and Expenses	
(Includes courthouse	
rentals)	952,819.90
Courthouse Maintenance	
and Operation	227,395.57
Courthouse Bonded Debt	
Int. pd. 1971	18,512.50
	<hr/>

Total (Gross)	\$1,982,545.50	
Less — Receipts		—290,069.56
		<hr/>

Total (Net)	\$1,692,475.94
-------------	----------------

DUKES

COUNTY COURT EXPENDITURES

Clerk of Courts			
Salaries and Expenses	\$8,479.94		
Probate Court and Registry			
Salaries and Expenses	1,214.00		
Law Libraries			
Salaries and Expenses	2,200.00		
Superior Court			
Criminal			
Court Officers and			
Stenographers	\$3,156.52		
Probation Department	682.23		
Jurors (Fees, etc.)	5,712.76		
Witnesses (Fees, etc.)	333.93		
District Attorney's Office	189.66		
Misc. Expenses	510.25		
		10,585.35	
Civil			
(Includes Supreme Judicial			
and Land Cts.)			
Court Officers and			
Stenographers	2,016.99		
Jurors (Fees, etc.)	3,216.22		
Auditors	1,813.27		
Misc. Expenses	279.88		
		7,326.36	
District Courts			
Salaries and Expenses			
(Includes courthouse			
rentals)	43,695.57		
Courthouse Maintenance			
and Operation	9,517.35		
Total (Gross)		\$83,018.57	
Less — Receipts		—11,442.56	
Total (Net)			\$71,576.01

ESSEX

COUNTY COURT EXPENDITURES

Clerk of Courts	
Salaries and Expenses	\$265,072.96
Probate Court and Registry	
Salaries and Expenses	58,954.41
Law Libraries	
Salaries and Expenses	47,891.92
Superior Court	
Criminal	
Court Officers and	
Stenographers	\$63,988.00
Probation Department	48,022.97
Jurors (Fees, etc.)	108,635.54
Witnesses (Fees, etc.)	16,232.70
District Attorney's Office	64,479.58

Professional Witnesses and Clergy	23,595.30
Misc. Expenses	18,870.35
	<hr/>
	343,824.44

Civil (Includes Supreme Judicial and Land Cts.) Court Officers and Stenographers	92,072.34
Jurors	243,113.79
Auditors	48,466.38
Masters	14,844.88
Misc. Expenses	361.10
	<hr/>
	398,858.49

District Courts Salaries and Expenses (Includes courthouse rentals)	1,659,709.49
Courthouse Maintenance and Operation	293,429.96
Courthouse Bonded Debt Int. pd. 1971	12,512.50
	<hr/>

Total (Gross)	\$3,080,254.17
Less — Receipts	<hr/> —403,170.85
Total (Net)	<hr/> \$2,677,083.32

FRANKLIN

COUNTY COURT EXPENDITURES

Clerk of Courts Salaries and Expenses	\$44,417.13
Probate Court and Registry Salaries and Expenses	3,536.96
Law Libraries Salaries and Expenses	12,121.19
Superior Court Criminal Court Officers and Stenographers	\$13,785.87
Probation Department	6,903.08
Jurors (Fees, etc.)	41,252.41
Witnesses (Fees, etc.)	1,591.98
District Attorney's Office	8,842.32
Misc. Expenses	6,526.30
	<hr/>
	78,901.96

Civil (Includes Supreme Judicial and Land Cts.) Court Officers and Stenographers	7,020.89
Jurors (Fees, etc.)	12,085.78
Auditors	2,170.00
Masters	855.00
Misc. Expenses	2,332.93
	<hr/>
	24,464.60

District Courts		
Salaries and Expenses		
(Includes courthouse		
rentals)	156,075.61	
Courthouse Maintenance		
and Operation	23,202.26	
	<hr/>	
Total (Gross)	\$342,719.71	
Less — Receipts		—62,633.38
		<hr/>
Total (Net)		\$280,086.33

HAMPDEN

COUNTY COURT EXPENDITURES

Clerk of Courts		
Salaries and Expenses	\$205,008.59	
Probate Court and Registry		
Salaries and Expenses	54,964.34	
Law Libraries		
Salaries and Expenses	41,377.05	
Superior Court		
Criminal		
Court Officers,		
Stenographers and		
Deputy Sheriffs	\$111,339.68	
Probation Department	40,712.89	
Jurors (Fees, etc.)	135,785.38	
Witnesses (Fees, etc.)	16,714.26	
District Attorney's Office	51,723.91	
Misc. Expenses	59,488.90	
	<hr/>	
	415,765.02	
Civil		
(Includes Supreme Judicial		
and Land Cts.)		
Court Officers and		
Stenographers	149,334.63	
Jurors (Fees, etc.)	126,845.88	
Auditors	1,827.50	
Masters	8,490.83	
Misc. Expenses	5,069.01	
	<hr/>	
	291,567.85	
District Courts		
Salaries and Expenses		
(Includes courthouse		
rentals)	1,472,976.81	
Courthouse Maintenance		
and Operation	220,181.88	
Courthouse Bonded Debt		
Int. Pd. 1971	2,250.00	
	<hr/>	
Total (Gross)	\$2,704,091.54	
Less — Receipts		—403,917.59
		<hr/>
Total (Net)		\$2,300,173.95

HAMPSHIRE COUNTY COURT EXPENDITURES

Clerk of Courts	
Salaries and Expenses	\$53,842.22
Probate Court and Registry	
Salaries and Expenses	7,023.75
Law Libraries	
Salaries and Expenses	14,536.78
Superior Court	
Criminal	
Court officers and	
Stenographers	\$24,403.76
Probation Department	10,950.69
Jurors (Fees, etc.)	49,108.67
Witnesses (Fees, etc.)	4,736.65
District Attorney's Office	21,036.58
Misc. Expenses	8,831.60
	<hr/>
	119,067.95

Civil	
(Includes Supreme Judicial	
and Land Cts.)	
Court Officers and	
Stenographers	7,206.27
Jurors (Fees, etc.)	19,112.19
Auditors	1,690.00
Masters	1,835.00
Misc. Expenses	8,916.78
	<hr/>
	38,760.24

District Courts	
Salaries and Expenses	
(Includes courthouse	
rentals)	265,084.57
Courthouse Maintenance	
and Operations	24,179.20
	<hr/>

Total (Gross)	\$522,494.71
Less — Receipts	<hr/> —93,050.74

Total (Net)	<hr/> \$429,443.97
-------------	--------------------

MIDDLESEX COUNTY COURT EXPENDITURES

Clerk of Courts	
Salaries and Expenses	\$740,829.75
Probate Court and Registry	
Salaries and Expenses	173,616.83
Law Libraries	
Salaries and Expenses	105,225.69
Superior Court	
Criminal	
Court Officers and	
Stenographers	\$269,387.10
Probation Department	111,069.15
Jurors (Fees, etc.)	327,390.00
Witnesses (Fees, etc.)	98,844.40
District Attorney's Office	297,288.22
Misc. Expenses	184,369.24
	<hr/>
	1,288,348.11

Civil

(Includes Supreme Judicial
and Land Cts.)

Court Officers and Stenographers	459,911.42
Jurors (Fees, etc.)	298,093.99
Auditors	71,655.11
Masters	32,431.58
Misc. Expenses	15,978.83

878,070.93

District Courts

Salaries and Expenses (Includes courthouse rentals)	4,868,677.86
Courthouse Maintenance and Operation	1,408,825.44
Courthouse Bonded Debt Int. Pd. 1971	1,315,216.10

Total (Gross)

\$10,778,810.71

Less — Receipts

—946,079.40

Total (Net)

\$9,832,731.31

NANTUCKET

COUNTY COURT EXPENDITURES

Clerk of Courts

Salaries and Expenses	\$7,964.19
-----------------------	------------

Probate Court and Registry

Salaries and Expenses	1,047.02
-----------------------	----------

Law Libraries

Salaries and Expenses	921.85
-----------------------	--------

Superior Court*

Criminal and Civil	
Grand Jury	\$2,556.96
Probation Department	451.50
Trial Jury	3,429.23
Stenographer	666.60
Sheriff and Deputies	735.95
Witnesses	710.76
District Attorney's Office	697.41
Misc. Expenses	1,931.10

11,179.51

District Courts

Salaries and Expenses (Includes courthouse rentals)	33,994.65
Courthouse Maintenance and Operation	644.74
Courthouse Bonded Debt Int. pd. 1971	184.60

Total (Gross)

\$55,936.56

Less — Receipts

—11,518.32

Total (Net)

\$44,418.24

*(Criminal and Civil expenditures are not separated.)

NORFOLK COUNTY
COUNTY COURT EXPENDITURES

Clerk of Courts		
Salaries and Expenses	\$214,910.21	
Probate Court and Registry		
Salaries and Expenses	86,225.53	
Law Libraries		
Salaries and Expenses	15,836.22	
Superior Court		
Criminal		
Court Officers and		
Stenographers	\$180,310.68	
Probation Department	36,297.86	
Jurors (Fees, etc.)	114,315.04	
Witnesses (Fees, etc.)	18,025.03	
District Attorney's Office	243,724.62	
Misc. Expenses	2,908.28	
	595,581.51	
Civil		
(Includes Supreme Judicial		
and Land Cts.)		
Court Officers and		
Stenographers	91,200.65	
Jurors (Fees, etc.)	123,598.94	
Auditors and Masters	53,587.16	
	268,386.75	
District Courts		
Salaries and Expenses		
(Includes courthouse		
rentals)	1,364,392.76	
Courthouse Maintenance		
and Operation	462,875.52	
Courthouse Bonded Debt		
Int. pd. 1971	167,349.17	
Total (Gross)	\$3,175,557.67	
Less — Receipts		—427,152.38
Total (Net)		\$2,748,405.29

PLYMOUTH
COUNTY COURT EXPENDITURES

Clerk of Courts	
Salaries and Expenses	\$160,390.53
Probate Court and Registry	
Salaries and Expenses	82,862.47
Law Libraries	
Salaries and Expenses	13,277.56
Superior Court	
Criminal	
Court Officers and	
Stenographers	\$58,455.74
Probation Department	38,717.40
Jurors (Fees, etc.)	81,384.11
Witnesses (Fees, etc.)	18,138.35
District Attorney's Office	55,780.77
Misc. Expenses	18,053.86
	270,530.23

Civil

(Includes Supreme Judicial
and Land Cts.)

Court Officers and

Stenographers

51,251.09

Jurors (Fees, etc.)

68,439.77

Auditors

5,212.50

Masters

4,780.00

Misc. Expenses

510.00

130,193.36

District Courts

Salaries and Expenses

(Includes courthouse
rentals)

1,007,423.04

Courthouse Maintenance
and Operation

165,717.27

Courthouse Bonded Debt
Int. pd. 1971

38,150.00

Total (Gross)

\$1,868,544.46

Less — Receipts

—307,114.07

Total (Net)

\$1,561,430.39

WORCESTER

COUNTY COURT EXPENDITURES

Clerk of Courts

Salaries and Expenses

\$337,287.29

Probate Court and Registry

Salaries and Expenses

32,541.40

Law Libraries

Salaries and Expenses

66,523.83

Superior Court

Criminal

Court Officers and

Stenographers

\$178,495.94

Probation Department

46,372.01

Jurors (Fees, etc.)

117,389.15

Witnesses (Fees, etc.)

41,491.06

District Attorney's Office

61,894.48

Misc. Expenses

27,854.48

473,497.12

Civil

(Includes Supreme Judicial
and Land Cts.)

Court Officers and

Stenographers

172,311.69

Jurors (Fees, etc.)

179,000.00

Auditors

15,000.00

Masters

11,000.00

Conciliators

11,000.00

Misc. Expenses

none

388,311.69

District Courts

Salaries and Expenses

(Includes courthouse

rentals)

2,009,778.29

Courthouse Maintenance

and Operation

386,446.69

Courthouse Bonded Debt

Int. pd. 1971

141,592.14

Total (Gross)

\$3,835,978.45

Less — Receipts

—447,586.60

Total (Net)

\$3,388,391.85

APPENDIX II

REPORT OF THE STATISTICS OF THE WORK ACCOMPLISHED
BY THE VARIOUS COURTS

The reports of total civil and criminal entries for fifteen years are set forth in the following table. In 1958, total entries amounted to 567,691, while in 1972, entries totalled 1,749,418, an increase of about 200%.

In the same period, the gross cost of operating the courts increased from \$17,312,000 to \$53,295,000, up approximately 207%.

TOTAL CIVIL AND CRIMINAL ENTRIES
(ALL COURTS)

	<i>Civil</i>	<i>Criminal</i>	<i>Total Civil and Criminal</i>
1958	273,008	294,683	567,691
1959	274,398	297,415	571,813
1960	285,818	321,734	607,552
1961	302,184	331,528	633,712
1962	308,734	366,526	675,260
1963	320,082	410,448	730,530
1964	382,647	424,255	806,902
1965	391,285	479,609	870,894
1966	382,776	565,571	948,347
1967	395,898	707,186	1,103,084
1968	398,161	724,828	1,122,989
1969	404,903	788,976	1,193,879
1970	417,098	958,918	1,376,016
1971	436,167	1,108,349	1,544,516
1972	427,384	1,322,034	1,749,418

Civil and criminal entries in the various courts appear in the following tables for the years ending June 30, 1971 and June 30, 1972. Next are the statistics for each court with comments.

Total civil entries decreased about 2.0%, while criminal entries continued to increase about 20% over last year.

CIVIL ENTRIES

	<i>1972 16th Report</i>	<i>1971 15th Report</i>	
Supreme Judicial Court, law	1,909	1,793	
Supreme Judicial Court, equity	195	146	
		2,104	1,939
Superior Court, law	31,571	36,453	
Superior Court, equity	7,121	6,441	
		38,692	42,894
		5,572	5,229
Land Court			
Probate Courts, probate	106,185	113,314	
Probate Courts, divorce	19,973	18,290	
Probate Courts, commitments	298	395	
		126,456	131,999

Municipal Court of the City of Boston:

Net after removals	27,551	27,854
Supplementary process.....	1,381	965
Small Claims	1,645	1,313
Reciprocal Support.....	255	230
	<u>30,832</u>	<u>30,362</u>
District Courts:		
Net after removals	85,960	93,049
Supplementary process.....	31,725	31,482
Small Claims	98,887	92,515
Reciprocal Support.....	4,417	2,705
Commitments	2,739	3,993
	<u>223,728</u>	<u>223,744</u>
Total Civil entries.....	427,384	436,167

CRIMINAL ENTRIES

	1972 16th Report	1971 15th Report
Superior Court:		
Indictments	20,856	19,470
Action on bail bonds	563	288
Complaints after waiver of indictments..	18	0
	<u>21,437</u>	<u>19,758</u>
Municipal Court of the City of Boston:		
General.....	367,655	342,800
Inquests	0	0
	<u>367,655</u>	<u>342,800</u>
District Courts:		
General.....	926,681	740,684
Inquests	0	0
Boston Juvenile Court	2,564	2,167
Springfield Juvenile Court.....	1,851	1,802
Worcester Juvenile Court	1,846	1,544
Total Criminal entries	<u>1,322,034</u>	<u>1,108,349</u>

SUPREME JUDICIAL COURT

In the first part of the following table, a comparison is made between the current year, the preceding year, and ten years ago.

In the current year, there were 418 cases entered, a decrease from the preceding year (454). The total number of full opinions, including advisory opinions, was 267, an increase of 34 opinions over last year. Rescript opinions continued to increase from 107 in 1971 to 154 in 1972.

The average period in days from consideration of cases by the court to decision increased from 58.42 in 1971 to 67.31 in 1972.

CASES ON APPEAL

Origin	1961-1962	1970-1971	1971-1972
Full Court	—	—	2
Certification under Rule 3:21 from U.S. Dist. Court (D. Mass.) to Full Court	—	—	1

Single Justice Session

Law	17	9	22
Equity	11	9	6
Superior Court			
Law	156	188	206
Equity	86	89	118
Workmen's Compensation	4	2	5
Land Court	7	5	4
Probate Courts	36	27	38
District and Boston Municipal Courts	13	6	12
Total	330	335	414
Opinions	261	228	260
Rescript Opinions	69	107	154
Total	330	335	414
Advisory Opinions	0	5	7
Total	330	340	421

	1970-1971		1971-1972	
Decision of lower court modified and affirmed	20	6%	10	2%
Decision of lower court affirmed	206	61%	285	69%
Decision of lower court reversed	76	23%	89	22%
No decision in lower court	30	9%	29	7%
Appeals dismissed	3	1%	1	—
Total	335	100%	414	100%
Cases argued	292	87%	337	81%
Submitted on briefs	18	5%	48	12%
Argued and briefs*	25	8%	29	7%
Total	335	100%	414	100%

*Argued by one side.

<i>County of Origin</i>	1970-1971	1971-1972
Barnstable	10	7
Berkshire	7	7
Bristol	10	23
Dukes	—	2
Essex	21	23
Franklin	4	4
Hampden	18	27
Hampshire	2	6
Middlesex	62	70
Norfolk	22	24
Plymouth	18	23
Suffolk	136	162
Worcester	25	36
Total	335	414
Days from entry to consideration (average)	148.21	152.35
Days from consideration to decision (average)	58.42	67.31
Total	206.63	219.66
Civil Cases	244	314
Criminal Cases	91	100
Total	335	414
Cases entered		
Law	272	245
Equity	182	173
Total	454	418

SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY
SINGLE JUSTICE SESSION
TWO YEAR COMPARISON OF STATISTICS

	1971	1972
Total Entries on Law Docket	1,793	1,909
Total Entries on Equity Docket	146	195
Total	1,939	2,104
<i>Law Docket</i>		
Petitions for Admission to the Bar	1,484	1,583
Appeals from Decision of Appellate Tax Board	38	30
Application for Discharge under Chapter 123, §91	7	1
Petitions for Writ of Certiorari	10	16
Petitions for Writ of Error	61	73
Petitions for Writ of Habeas Corpus	20	20
Petitions for Writ of Mandamus	23	22
All others	150	164
Total	1,793	1,909

SUPREME JUDICIAL COURT FOR COUNTY OF SUFFOLK
September 1, 1971 to September 1, 1972

REPORT

<i>Transferred to Superior Court 47</i>	<i>Prerogative Writs 146</i>	<i>Petitions for Admission to the Bar 1,583</i>	
<i>Law Docket:</i>			
			1,583
Petitions for Admission to the Bar			30
Appeals from Decision of Appellate Tax Board			1
Applications for Discharge under C. 123, §91			16
Petitions for Writ of Certiorari			73
Petitions for Writ of Error			20
Petitions for Writ of Habeas Corpus			22
Petitions for Writ of Mandamus			11
Petitions for Writ of Prohibition			4
Informations			1
Petitions for Declaratory Judgment			1
Petitions for Declaratory Judgment under C. 231, §1			15
Petitions to Establish Truth of Exceptions			20
Petitions for Admission to Bail			8
Petitions for Reduction of Bail			1
Petitions for Reduction of Bail under C. 276, §§57, 58			6
Petitions for Review of Bail			1
Petitions to Set Bail			2
Petitions for Late Appeal			4
Petitions for Late Appeal under C. 211, §11			20
Petitions for Late Appeal under C. 278, §28E			4
Petitions for Late Appeal under C. 278, §33H			2
Petitions for Interlocutory Relief			3
Petitions for Relief under C. 211, §3			1
Petitions for Relief under C. 211, §§3 and 4A			1
Petitions for Speedy Trial under C. 211, §3			2
Petitions for Speedy Trial under C. 211, §§3 and 4A			1
Petitions under Chapter 211, §11			9
Petitions Under Chapter 211, §3			2
Petitions under Chapter 211, §§3 and 4A			1
Petitions under Chapter 278, §32A			

Applications for Grant of Immunity of Witness in Grand Jury proceedings under C. 233, §§20C, D, and E	1
Motion to Attend Grand Jury with Counsel	1
Petitions for Late Filing of Bill of Exceptions	2
Petitions for Late Filing of Bill of Exceptions under Chapter 278, §32A ...	8
Petition for Stay of Execution of Sentence	4
Petition for Stay of Execution of Sentence under Chapter 128A, §13B	2
Petition for Stay and Admission to Bail under C. 279, §4.....	5
Petition for Stay of Execution of Decree of Probate Court.....	1
Petition for Suspension of Decree under C. 249, §4.....	1
Petition for Stay of Execution of Sentence of Death	2
Petition to Transfer under Chapter 211, §4A	1
Petitions for Writ of General Superintendence under Chapter 211, §3.....	2
Order of Court.....	5
Petition to vacate denial of defendant's motion for continuance and for order for continuance	1
Petition to Limit Attachment under Chapter 215	1
Petitions to file late estimated cost of preparation and printing of the record	2
Petition for Adoption of Rules of Trial and Appellate Civil Procedure	1
Petition for Release on Personal Recognizance	1
Petition for Review of Denial	1
Order of Notice to show why Order of Disbarment should not be entered by reason of Criminal Convictions	2
	1,909
Total Entries on Law Docket	1,909

Equity Docket:

Bills of Complaint.....	14
Petitions for Declaratory Judgment	8
Petitions for Declaratory Judgment Under C. 231A	2
Petitions for Declaratory Relief	8
Bills in Equity	5
Bills in Equity Under C. 197, §10.....	2
Petitions for Dissolution Under C. 180, §11A	12
Petition for Dissolution Under C. 156	1
Petitions for Dissolution Under C. 156B, §99.....	4
Petitions for Dissolution Under C. 156B, §101.....	6
Petition for Dissolution Under C. 156B, §100 and C. 167, §22	1
Petition for Dissolution Under C. 156G, §101	1
Petition for Dissolution Under C. 204, §12.....	1
Petition for Declaratory Judgment Under C. 367, Acts of 1971.....	1
Petition to Establish Truth of Exceptions	1
Petition to Annul Temporary Restraining Order	1
Petitions to Annul Preliminary Injunction	2
Petition to Annul Order for Deposition.....	1
Petition to Annul Order to produce, inspect and copy certain documents ..	1
Petition for Appeal	1
Petitions for Appeal Under C. 25, §5	7
Petitions for Appeal Under C. 215, §15.....	2
Petitions for Appointment of Trustee to fill vacancy	2
Petition for Approval of Cy Pres Application of Boyden Fund	1
Petition for Instructions	1
Petitions for Late Appeal.....	6
Petitions for Late Appeal Under C. 211, §11	5
Petitions for Late Appeal Under C. 214, §28	2
Petition for Late Appeal Under C. 231, §135	1
Petition for Appointment of Receiver	1
Petitions for Injunctive Relief Under C. 214, §22	9
Petition for Modification of Decree Under C. 214, §22.....	1
Petition for Injunctive Relief Under C. 214, §28	1

Petition for Extraordinary Writ Under C. 211, §3	1
Petitions for Stay Under C. 214, §22	3
Petitions for Stay of Proceedings	4
Petition for Stay pending Appeal Under C. 215, §27	1
Petitions for Suspension of Decree Under C. 152, §17	2
Petitions for Suspension of Decree Under C. 214, §22	3
Petitions Under C. 214	2
Petitions Under C. 214, §9	1
Petitions Under C. 214, §22	15
Petitions Under C. 214, §§22 and 26	1
Petitions Under C. 211, §4A	2
Petitions Under C. 215, §23	4
Petitions for Relief Pending Appeal	6
Petitions Under Cy Pres	3
Petitions for Tax Reform Under C. 367, Acts of 1971	12
Petitions for Review	3
Petitions for Reformation	2
Petitions for Reformation of Trust	1
Petitions to be Excused from making Accumulations	6
Motion to vacate Final Decree as it relates to Lincoln Company, Inc.	1
Petition of the Commissioner of Banks for order confirming her appointment of the Federal Deposit Insurance Corporation as Liquidating Agent	1
Petition to transfer physically, transcript of evidence and original paper to the Full Court	1
Petition to continue Preliminary Injunction pending appeal to the Full Court	1
Motion to amend Bill of Complaint and for Preliminary Injunction	1
Petition for Preliminary Injunction and Appointment of Receiver pursuant to C. 271, §6A	1
Petition to file late Estimated Cost of Preparation and Printing of Record ..	1
Petition to Stay Final Interlocutory Order of Probate Court Under C. 215, §22	1
Petition to Vacate Decree and Leave to File Late Appeal	1
Petition for Stay of Order of Probate Court	1
Petition to Revoke Order of Probate Court	1
	195
Total Entries on Equity Docket	195
Total Entries on Law Docket	1,909
Total Entries on Both Dockets	2,104

APPEALS COURT

Period: August 16 — December 31, 1972

- FILINGS* from August 16 to December 31, 1972 totalled 176 cases of which 36 were transferred to the Appeals Court from the Supreme Judicial Court for the Commonwealth (18 on November 28, 1972 and 18 on December 26, 1972).

DIRECT ENTRIES (filings) in the Appeals Court are presently averaging approximately 35.6 cases per month and expected to increase measurably in 1973, perhaps by some 12-15%.

- TYPES OF APPEALS ARE REFLECTED AS FOLLOWS:*

Criminal Appeals

39

Civil Appeals

137

3. *SOURCES OF APPEALS BY COURTS SHOWS:*

<i>Superior Court</i>	<i>Land Court</i>	<i>Probate Court</i>
154	5	17

4. *SOURCES OF APPEALS BY COUNTIES SHOWS:*

Barnstable	4	Hampshire	2
Berkshire	2	Middlesex	34
Bristol	12	Norfolk	6
Dukes	1	Plymouth	16
Essex	9	Suffolk	71
Hampden	6	Worcester	13

5. *DISPOSITIONS OF APPEALS:*

November, 1972 — 26 cases were scheduled for oral argument.
 December, 1972 — 23 cases were scheduled for oral argument.

6. *PENDING WORKLOAD 1973:*

The pending workload of the Appeals Court, at the end of calendar 1972, is illustrated as follows:

January, 1973 — 41 cases were scheduled for oral argument.
 February, 1973 — 40 cases were scheduled for oral argument.
 March, 1973 — 40 cases were scheduled for oral argument.

7. *TIME PATTERNS:*

a) The time period for bringing an appeal to issue is computed as follows:

The *starting time* is the date of the original filing made with the Clerk's office, and the *closing time* is when the appeal has been noticed for hearing.

Time periods for appeal to be at issue:

	<i>Criminal</i>	<i>Civil</i>
Maximum	116 days	88 days
Minimum	29 days	8 days
Mean	66.48 days	75.75 days

b) Computation for the time period in reaching a decision is computed as follows:

From the date an appeal is submitted for oral argument until the date of the official filing of the opinion on the Court docket in the Clerk's office.

Time periods between hearing and official filing of opinion:

	<i>Criminal</i>	<i>Civil</i>
Maximum	45 days	45 days
Minimum	45 days	37 days
Mean	45 days	40 days

c) *True mean period:*

To obtain a true mean time period, one must take note of Appeals Court Rule number 1:12 "cases not to be argued before certain time. A case shall not be argued sooner than the fifty-sixth day after such entry except by order of the court or a justice."

8. *APPELLATE REVIEW:*

Rules for the appellate review of cases within the concurrent jurisdiction of the Appeals Court and the Supreme Judicial Court were promulgated and ordered by the Supreme Judicial Court on November 27, 1972 in Rule 3:24 of the Rules of that Court.

A statistical analysis shows said chapter's being applied as follows:

		<i>Number of Cases</i>
4:04	Application for Direct Appellate Review	3
4:05	Direct Review by Supreme Judicial Court	1
4:06	Direct Appellate Review on Certificate of Appeals Court	1
4:07	Application for Further Appellate Review	1

SUPERIOR COURT

Appearing below in summary form, for the years 1961, 1971 and 1972 are tables of civil and criminal trials by Superior Court justices as well as new entries and dispositions.

On the civil side, the figures for 1972 show an increase in entries over dispositions of approximately 13%.

On the criminal side, the cases on hand and entered are approximately 52% greater than the cases disposed of.

SUPERIOR COURT

CIVIL AND CRIMINAL

(LAW AND EQUITY)

	1961	1971	1972
Trials during year by Superior Court justices			
Civil	2,866	2,556	1,991
Criminal	2,576	2,266	2,381
Totals	5,442	4,822	4,372
New Cases			
Civil entries	39,878	42,894	38,692
Criminal	20,034	38,353	41,201
Totals	59,912	81,247	79,893
Cases disposed of			
Civil	38,085	39,318	35,145
Criminal	15,276	32,702	36,325
Totals	53,361	72,020	71,470

SUPERIOR COURT

CIVIL STATISTICS

I. LAW CASES — JURY AND NON-JURY

	1971	1972
Trials during year by Superior Court justices	1,858	1,262
Jury verdicts and findings by the court	1,865	1,342
On hand — start of year	57,205	61,821
Retransfers	1,897	1,672
Total entries	<u>36,453</u>	<u>31,571</u>
	95,555	95,064
Less disposed of	<u>—33,698</u>	<u>—30,070</u>
On hand — end of year	61,857	64,994

II. EQUITY

	1971	1972
Trials during year by Superior Court justices	698	729
On hand — start of year	11,579	11,934
Entries	<u>6,441</u>	<u>7,121</u>
	18,020	19,055
Less disposed of	<u>— 5,620</u>	<u>— 5,075</u>
On hand — end of year	12,400	13,980

SUPERIOR COURT

A summary of criminal statistics for 1971 and 1972 follow:

SUPERIOR COURT CRIMINAL STATISTICS

	1971	1972
Trials during year by Superior Court justices	2,266	2,381
Trials during year by District Court justices	1,368	1,659
Days during which a Superior Court justice sat for trials, dispositions or redispositions	3,532½	4,579½
Days during which a District Court justice sat in Superior Court	800	861

SUPERIOR COURT

The next table is a five year comparison of criminal business and the attached charts give the detailed civil and criminal statistics.

SUPERIOR COURT
CRIMINAL STATISTICS 1968-1972

	1968		1969		1970		1971		1972	
On hand at first of year	11,774		13,667		18,306		22,659		28,318	
Indictments returned	11,524		13,371		14,473		19,470		20,856	
Appeal cases entered	11,371		13,137		14,325		16,684		17,644	
Actions on bail bonds	77		76		222		288		563	
Disposed brt. forward	1,305		1,176		1,367		1,348		1,218	
Indictments waived	458		575		537		578		902	
Complaints after waiver	0	24,735	7	28,342	0	30,924	0	38,353	18	41,201
Total	36,509		42,009		49,320		61,032		69,519	
Appeals withdrawn before sitting	508		462		560		582		595	
Appeals withdrawn after next sitting	889		1,073		1,178		1,253		1,263	
Appeals withdrawn during sitting	746		617		455		623		748	
Disposed of	20,699 — 22,842		21,551 — 23,703		24,381 — 26,574		30,244 — 32,702		33,719 — 36,325	
On hand at end of year	13,667		18,306		22,656		28,330		33,194	

APPELLATE DIVISION

ANNUAL REPORT OF THE BUSINESS OF THE APPELLATE DIVISION
OF THE SUPERIOR COURT

(G. L. Ch. 278, Sec. 28A - 28D, inclusive)

for the period commencing July 1, 1971 and ending June 30, 1972:

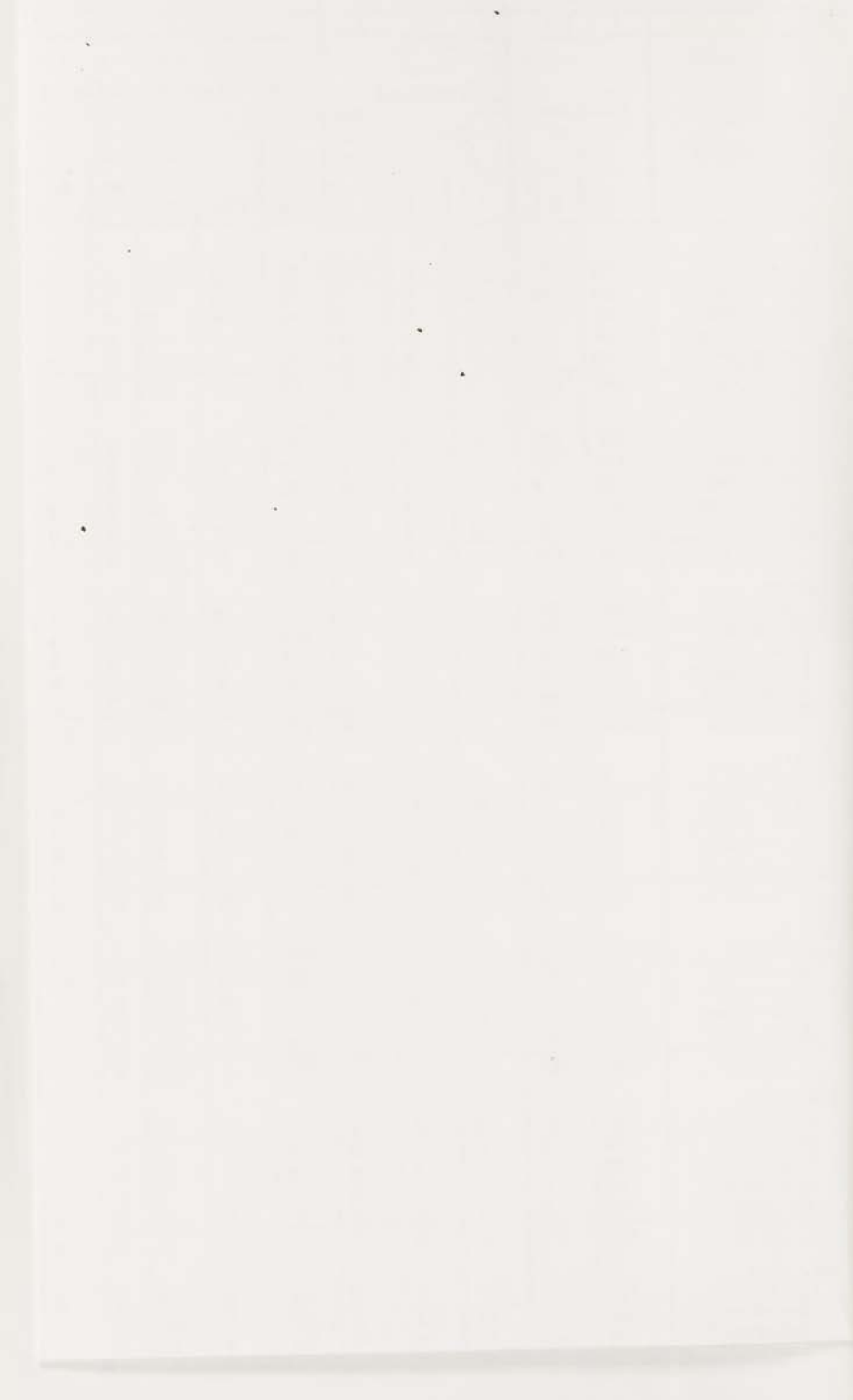
As of June 30, 1971 Appeals were pending for review of	413 sentences
During the period of July 1, 1971 to June 30, 1972 Appeals were entered for the review of	500 sentences
	<u>913 sentences</u>
Appeals were withdrawn which related to	138 sentences
Appeals became moot which related to	13 sentences
Appeals were dismissed as to	81 sentences
Sentences reduced	25 sentences
Sentences increased	3 sentences
Appeals pending on June 30, 1972 as to	653 sentences
	<u>913 sentences</u>

The Appellate Division was in session for twelve days.

LAND COURT

The four year comparative statistics show increases in new cases and in dispositions. In the absence of an inventory of pending cases it is not possible to determine the size and character of the back log.

COUNTIES	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	
	Law Cases Start of Year		Prior Year Cases Transferred		No. Cases Entered During Year						Trials by Superior Court Judges		No. Jury Verdicts (Ordered—Not Ordered) Ptff. Dft.				No. Findings (Law)		Non-trial Docket				Remaining Active— Law Docket End of Year		Disposed of				Triable at Issue Awaiting Trial		Enjoined	Remaining Undisposed of		Cases Marked Inactive		Inactive Dismissed		Motor Tort by Dist. Ct. Judges	Days Superior Ct. Judges Sat	Days Dist. Court Justices Sat in Motor Tort Case	Equity						
			After Trial																With- out Trial	Removals					Transferred to		Remaining on														J.		N.J.				
			J.	N.J.	J.	N.J.	Orig. Writs	Ptff.	Dft.	By Both	By Court	Total Entries	J.	N.J.	O.	N.O.	O.	N.O.		Ptff.	Dft.	J.	N.J.	J.	N.J.	J.	N.J.	Aud.	Other	Aud.		Other	J.	N.J.	J.	N.J.	J.				N.J.	Entered	Disposed of	Remaining	Trials by Sup'r Ct. Judges		
	BARNSTABLE																																														
Contracts	114	55	0	0	0	73	0	55	0	3	131	1	6	0	1	0	0	4	1	0	0	0	0	158	60	1	58	2	21	134	39	0	158	60	0	0	0	0									
Motor Torts	184	20	2	0	1	93	0	57	0	5	155	5	1	0	0	0	2	1	0	0	0	0	235	23	0	92	0	12	209	21	0	235	23	0	0	0	0										
Other Torts	109	11	0	0	0	42	0	9	0	1	52	2	0	0	1	0	0	0	0	0	0	0	123	12	0	35	0	2	102	9	0	123	12	0	0	0	0										
Land Takings	51	2	0	0	0	35	0	0	0	0	35	2	0	0	2	0	0	0	0	0	0	0	71	5	0	12	0	0	70	5	0	71	5	0	0	0	0										
All Others	2	58	0	0	0	34	0	0	0	0	34	0	2	0	0	0	0	0	0	0	0	0	6	68	0	3	0	17	6	25	0	6	68	0	0	0	0										
TOTALS	460	146	2	0	1	277	0	121	0	9	407	10	9	0	4	0	2	5	1	0	0	0	593	168	1	200	2	52	521	99	0	593	168	0	0	0	0	0	66	0	404	258	161	501	20		
BERKSHIRE																																															
Contracts	196	124	0	0	0	141	0	15	0	3	159	1	1	0	0	0	1	1	0	0	0	0	197	161	9	82	3	27	159	38	0	197	161	0	0	0	0										
Motor Torts	415	23	0	1	1	225	0	29	0	10	264	2	1	0	5	0	1	0	1	0	0	0	469	23	44	156	6	6	409	18	0	469	23	0	0	0	0										
Other Torts	210	4	0	0	0	92	0	7	0	1	100	0	0	0	0	0	0	0	0	0	0	255	7	0	52	0	0	241	7	0	255	7	0	0	0	0											
Land Takings	75	0	0	0	0	16	0	0	0	0	16	6	3	0	6	0	0	3	0	0	0	70	0	0	21	0	0	68	0	0	70	0	0	0	0	0											
All Others	2	6	0	0	0	6	0	1	0	0	7	0	0	0	0	0	0	0	0	0	0	1	9	0	4	0	1	1	3	0	1	9	0	0	0	0											
TOTALS	898	157	0	1	1	480	0	52	0	14	546	9	5	0	11	0	2	4	1	0	0	0	992	200	53	315	9	34	878	66	0	992	200	0	0	0	0	0	32½	0	244	133	71	306	6		
BRISTOL																																															
Contracts	280	121	3	2	3	143	0	87	0	9	239	12	14	0	7	1	4	12	2	0	0	0	347	132	0	131	0	59	244	83	1	347	132	0	0	0	0										
Motor Torts	2,000	147	22	0	11	453	1	329	0	44	827	63	9	0	34	5	24	7	2	0	0	0	1,720	151	0	1,014	0	90	1,274	94	0	1,720	151	0	0	0	0										
Other Torts	610	40	10	0	6	195	0	77	0	8	280	17	1	0	9	3	5	0	1	0	0	0	609	58	0	277	0	14	449	45	0	609	58	0	0	0	0										
Land Takings	155	7	0	0	0	65	0	0	0	0	65	22	0	1	21	0	0	0	0	0	0	0	160	11	0	48	0	4	142	10	0	160	11	0	0	0	0										
All Others	24	93	0	0	0	37	0	20	0	0	57	0	1	0	0	0	0	1	0	0	0	16	96	0	39	0	26	18	22	0	16	96	0	0	0	0											
TOTALS	3,069	408	35	2	20	893	1	513	0	61	1,468	114	25	1	71	9	33	20	5	0	0	0	0	2,852	448	0	1,509	0	193	2,127	254	1	2,852	448	0	0	0	0	0	214	0	556	512	479	589	177	
DUKES																																															
Contracts	9	10	0	0	0	12	0	0	0	0	12	1	1	0	0	1	0	0																													



REPORT TO THE SUPREME JUDICIAL COURT
CRIMINAL BUSINESS STATISTICS OF THE SUPERIOR COURT FOR THE YEAR ENDING JUNE 30, 1972

	Barnstable	Berkshire	Bristol	Dukes	Essex	Franklin	Hampden	Hampshire	Middlesex	Nantucket	Norfolk	Plymouth	Suffolk	Worcester	Totals															
1. Number on hand at first of year (7/1/71)	805	295	2,213	16	5,856	177	4,092	632	3,568	9	1,211	3,142	3,980	2,322	28,318															
2. Indictments returned	822	417	1,840	32	1,526	254	1,925	430	2,960	4	1,207	1,309	4,431	3,699	20,856															
3. Appeal cases entered	794	176	1,265	27	2,134	196	1,147	348	3,175	11	1,205	1,365	3,181	2,620	17,644															
4. Actions on bail bonds for recognizances entered	0	0	0	0	115	7	13	0	37	0	43	0	315	33	563															
5. Disposed of in previous years — brought forward for redispotion	0	0	83	0	11	0	32	0	161	3	39	78	479	332	1,218															
6. Indictments waived	48	0	335	0	67	0	23	1	16	0	194	28	0	190	902															
7. Complaints filed after waiver of indictment	0	1,664	0	593	0	3,523	0	59	0	3,853	0	457	17	3,157	1	780	0	6,349	0	18	0	2,688	0	2,780	0	8,406	0	6,874	18	41,201
8. Total	2,469	888	5,736	75	9,709	634	7,249	1,412	9,917	27	3,899	5,922	12,386	9,196	69,519															
9. Appeals withdrawn before sitting following entry	35	6	56	4	49	30	51	28	0	5	52	67	183	29	595															
10. Appeals withdrawn after next sitting under G.L.c.278 § 25	28	27	24	0	271	11	30	18	450	0	0	181	147	76	1,263															
11. Appeals withdrawn during sitting*	70	5	113	3	63	55	8	62	52	0	122	90	10	95	748															
12. Disposed of during year	1,377	1,510	443	481	3,150	3,343	33	40	1,874	2,257	301	397	1,990	2,079	575	683	4,073	4,575	19	24	2,890	3,064	2,587	2,925	8,185	8,525	6,222	6,422	33,719	36,325
13. Remaining at end of year	959	407	2,393	35	7,452	237	5,170	729	5,342	3	835	2,997	3,861	2,774	33,194															
14. Awaiting trial at end of year	558	281	1,751	35	5,673	174	5,180	419	5,032	3	450	2,855	3,674	1,423	27,508															
15. Trials during year by Superior Court justices	55	11	35	8	160	5	109	61	519	19	144	225	762	268	2,381															
16. Trials during year by District Court justices	64	13	51	0	241	32	128	98	207	0	97	158	362	208	1,659															
17. Days during which a Superior Court justice sat for trials, dispositions or redispositions	70	48	202	10	181	24½	551	60	896	9	245	196	1,579	508	4,579½															
18. Days during which a District Court justice sat in Superior Court	37	19	60	0	90	28	37	24	105	0	82	43	172	164	861															

*(In Suffolk County appeals in this category are included in the preceding classification.)

LAND COURT

COMPARATIVE OF FOUR YEARS — JULY 1, 1968 TO JUNE 30, 1972

	7/1/68 to 6/30/69	7/1/69 to 6/30/70	7/1/70 to 6/30/71	7/1/71 to 6/30/72
Land Registration.....	411	461	413	356
Land Confirmation.....	34	32	34	37
Land Registration, Subsequent.....	1,317	1,223	1,255	1,617
Tax Lien.....	559	816	816	579
Equity & Miscellaneous.....	2,562	2,623	2,711	2,983
Total Cases Entered.....	4,883	5,155	5,229	5,572
Decree Plans Made.....	370	406	444	451
Subdivision Plans Made.....	583	564	606	764
Total Plans Made.....	953	970	1,050	1,215
Total Appropriation.....	\$ 594,342.00	\$ 688,500.00	\$ 722,500.00	\$ 726,839.00
Fees Sent to State Treasurer.....	87,935.55	93,262.31	90,715.49	126,476.65
Income from Assurance Fund-Applicable to Expenses.....	11,448.09	17,721.66	14,292.12	12,446.26
Total Expenditures.....	590,753.55	684,152.04	664,002.90	682,631.80
Net Cost to Commonwealth.....	491,369.91	573,168.07	558,995.29	543,708.89
Claims Paid From Assurance Fund During Year.....	500.00	None	None	None
Assurance Fund (Close of Fiscal Year).....	283,990.69	293,321.67	302,392.18	311,049.36
Assessed Value of Land on Petitions in Registration and Confirmation Cases Entered.....	\$12,424,498.86	\$15,101,063.18	\$7,744,448.42	\$9,330,394.60

CASES DISPOSED OF BY FINAL ORDER, DECREE OR JUDGMENT BEFORE HEARING

Land Registration.....	533	406	403	971**
Land Confirmation.....	20	36	30	29
Land Registration, Subsequent.....	1,317	1,223	1,255	1,617
Tax Lien.....	714	625	502	988***
Equity & Miscellaneous.....	2,986	1,815	2,062	2,050
Total Cases Disposed of.....	5,570	4,105	4,252	5,655

CASES PENDING BEFORE THE COURT AS OF JUNE 30, 1972

Land Registration.....	1,997
Tax Lien.....	2,420
Land Registration, Subsequent Petitions.....	None
Equity — Miscellaneous.....	None

*The court is in the process of reviewing its Miscellaneous cases to determine which cases should be dismissed for inactivity and then establish a pending list.

**Includes 578 cases dismissed of which 200 were dismissed under Rule 85 and 378 dismissed for lack of prosecution.

***Includes 110 cases dismissed of which 50 were dismissed under Rule 85 and 60 dismissed for lack of prosecution.

PROBATE COURTS

The total of original entries including divorce decreased about 4.3% from 131,604 in 1970 to 126,158 in 1971.

The total of divorce original entries increased about 8.4% from 18,290 in 1970 to 19,973 in 1971.

Among the five counties showing the largest number of entries, Worcester County became third in rank. Norfolk County went from third to last position in 1971.

Original entries (including divorce) for all counties, with divorce libels in ()

	1970	1971	1970 to 1971
Barnstable	2,840	3,067	+ 227
	(477)	(515)	(+ 38)
Berkshire	3,101	2,753	- 348
	(499)	(535)	(+ 36)
Bristol	7,010	7,821	+ 811
	(1,471)	(1,762)	(+ 291)
Dukes	253	383	+ 130
	(43)	(47)	(+ 4)
Essex	12,452	13,213	+ 761
	(1,591)	(1,677)	(+ 86)
Franklin	1,535	1,633	+ 98
	(256)	(273)	(+ 17)
Hampden	8,618	8,309	- 309
	(1,958)	(2,001)	(+ 43)
Hampshire	2,427	2,209	- 218
	(381)	(468)	(+ 87)
Middlesex	37,522	33,467	- 4,055
	(4,123)	(4,492)	(+ 369)
Nantucket	169	182	+ 13
	(11)	(19)	(+ 8)
Norfolk	14,734	12,550	- 2,184
	(1,495)	(1,727)	(+ 232)
Plymouth	8,089	7,913	- 176
	(1,241)	(1,422)	(+ 181)
Suffolk	18,611	18,560	- 51
	(2,514)	(2,544)	(+ 30)
Worcester	14,243	14,098	- 145
	(2,230)	(2,491)	(+ 261)
Totals	131,604	126,158	- 5,446
	(18,290)	(19,973)	(+ 1,683)

Five Counties with largest number of
original entries (including divorce)

	1970		1971
Middlesex	37,522	Middlesex	33,467
Suffolk	18,611	Suffolk	18,560
Norfolk	14,734	Worcester	14,098
Worcester	14,243	Essex	13,213
Essex	12,452	Norfolk	12,550

EXTRACTS FROM THE REPORTS OF THE REGISTERS

	Barnstable	Berkshire	Bristol	Dukes
Original entries (including divorce)	3,067	2,753	7,821	383
Administration allowed	165	188	815	42
Wills allowed	545	280	757	63
Guardianships (minor)	29	11	96	3
Guardianships (mentally ill)	8	11	25	0
Conservators Decrees	23	54	84	6
Accounts & Distribution Decrees	496	784	762	96
Trustees Decrees	42	22	80	5
Equity Decrees	38	9	48	0
Restraining Orders, etc. Decrees	24	11	38	0
Pro Confesso Decrees	13	1	21	0
Partitions	6	6	15	0
Real Estate Sales	111	125	458	24
Separate Support	10	30	74	1
Contempts and Modifications	3	3	23	1
Petitions dismissed	26	11	344	2
Desertion and Living Apart (allowed)	0	2	4	0
Custody — Minors (allowed)	8	5	12	0
Divorce:				
Original entries	515	535	1,762	47
Decrees nisi	326	208	1,396	25
Decrees dismissed	52	46	153	4
Other Decrees & Orders (including modifications and contempts, etc.)	192	126	803	14
Dismissed under Rule 48	52	45	158	1
Adoptions	131	103	217	3
Commitments:				
Mentally ill and Feeble Minded	0	0	0	0

OF PROBATE FOR THE YEAR ENDING DECEMBER 31, 1971

Essex	Franklin	Hampden	Hampshire	Middlesex	Nantucket	Norfolk	Plymouth	Suffolk	Worcester	Totals
13,213	1,633	8,309	2,209	33,467	182	12,550	7,913	18,560	14,098	126,158
1,017	114	634	136	1,967	10	1,023	501	1,622	1,216	9,450
1,373	190	732	227	3,002	20	1,404	607	1,204	1,544	11,948
203	32	162	65	523	0	190	85	231	236	1,866
33	7	32	14	125	0	35	22	75	89	476
170	29	172	28	614	0	210	116	332	232	2,070
2,583	438	1,829	423	11,808	29	2,945	899	3,139	2,398	28,629
179	10	46	12	332	2	235	83	118	115	1,281
101	10	92	39	249	2	136	31	157	85	997
171	5	93	42	58	1	70	49	18	85	665
54	0	27	12	145	9	16	5	16	8	327
41	5	4	8	36	2	23	13	19	16	194
579	69	358	124	1,130	17	437	307	469	549	4,757
65	11	60	2	1,775	3	82	34	826	501	3,474
32	6	1	2	1,131	1	82	27	257	205	1,774
394	1	28	4	23	0	407	411	627	249	2,527
13	0	0	3	5	1	0	0	3	0	31
126	2	6	0	30	4	14	18	336	177	738
1,677	273	2,001	468	4,492	19	1,727	1,422	2,544	2,491	19,973
1,087	198	1,475	336	2,969	6	1,257	935	1,899	2,366	14,483
87	36	239	43	350	2	165	193	181	256	1,807
919	132	1,154	405	3,511	12	1,440	1,802	3,103	1,632	15,245
248	15	254	39	616	4	195	198	420	348	2,593
490	70	380	80	1,169	5	505	351	473	639	4,616
0	0	0	0	0	0	0	0	298	0	298

DISTRICT COURTS

The number of civil writs entered in the District Courts, exclusive of remand cases, decreased from 101,068 in 1971 to 92,331 in 1972. In 1971, there were 13,056 civil cases tried; in 1972, 12,323.

The statistics on removals to and transfers from the Superior Court show decreases in removals, transfer cases tried, and retranfers, while transfers increased.

	1971	1972	+ or -
Removals	8,019	6,371 -	1,648
Transfers	10,818	10,925 +	107
Transfers tried	3,537	3,057 -	480
Retransfers	1,341	1,104 -	237

Criminal cases begun continued their steady increase except in the category listing narcotics which decreased by 814 cases.

	1971	1972	+ or -
Criminal cases begun	740,684	926,681 +	185,997
Major categories:			
Drunkenness	58,211	62,660 +	4,449
Automobile	518,699	704,281 +	185,582
Operating under influence	9,224	10,844 +	1,620
Narcotics	24,022	23,208 -	814

Other comparisons follow:

	1971	1972	+ or -
Eviction cases entered	14,561	13,077 -	1,484
Eviction cases tried	4,249	5,050 +	801
Poor debtor cases	31,482	31,725 +	243
Small claims cases	92,515	98,887 +	6,372
Juvenile cases	28,536	35,094 +	6,558
Reciprocal support cases	2,705	4,417 +	1,712
Reciprocal support collections	\$3,562,539	\$3,871,496 +	\$308,957

District Court Statistics at end of Appendix II

BOSTON MUNICIPAL COURT

The following civil and criminal statistics for two years are supplied in tabular form.

CIVIL

	1971	1972
Actions entered:		
Contract	21,651	22,336
Tort	6,301	5,305
Contract or tort	484	399
All others	914	868
Total actions entered	29,350	28,908

Actions removed to Superior Court:

Contract	494	598
Tort	938	700
Contract or tort	54	33
All others	10	26

Total actions removed	1,496	1,357
-----------------------------	-------	-------

Net entries after removals:

Contract	21,157	21,738
Tort	5,363	4,605
Contract or tort	430	366
All others	904	842

Total	27,854	27,551
-------------	--------	--------

Transferred from Superior Court	2,029	2,192
---------------------------------------	-------	-------

Total	29,883	29,743
-------------	--------	--------

Actions defaulted:

Contract	12,276	12,213
Tort	1,398	1,285
Contract or tort	76	111
All others	295	131

Total	14,045	13,740
-------------	--------	--------

Trials:*

Contract	1,428	1,232
Tort	1,693	1,624
Contract or tort	70	214
All others	363	293

Total	3,554	3,363
-------------	-------	-------

Plaintiffs' findings:**

Contract	1,222	1,047
Tort	790	928
Contract or tort	21	128
All others	200	157

Total	2,233	2,260
-------------	-------	-------

Defendants' findings:**

Contract	77	87
Tort	162	170
Contract or tort	7	14
All others	154	146

Total	400	417
-------------	-----	-----

APPELLATE DIVISION:

Reports allowed:

Contract	10	11
Tort	10	13
Contract or tort	5	2
All others	1	1
	<hr/>	<hr/>
Total	26	27

Reports disallowed:

Contract	0	0
Tort	2	0
Contract or tort	0	0
All others	0	0
	<hr/>	<hr/>
Total	2	0

Cases heard:

Contract	11	8
Tort	12	10
Contract or tort	4	0
All others	0	1
	<hr/>	<hr/>
Total	27	19

Cases affirmed:**

Contract	7	8
Tort	7	7
Contract or tort	4	2
All others	0	1
	<hr/>	<hr/>
Total	18	18

Cases reversed:**

Contract	2	0
Tort	3	2
Contract or tort	2	0
All others	0	0
	<hr/>	<hr/>
Total	7	2

Cases consolidated under G.L. c. 223, § 2:

Contract	5	36
Tort	135	87
Contract or tort	0	1
	<hr/>	<hr/>
Total	140	124

Appeals to Supreme Judicial Court perfected	1	0
--	---	---

Appeals to Supreme Judicial Court affirmed	4	0
---	---	---

Appeals to Supreme Judicial

Court reversed.....	1	0
---------------------	---	---

Plaintiffs' judgments

By default:

Contract.....	12,928	13,890
Tort.....	469	554
Contract or tort.....	0	0
All others.....	86	42

Total.....	13,483	14,486
------------	--------	--------

After trial:

Contract.....	1,222	1,047
Tort.....	790	928
Contract or tort.....	21	128
All others.....	200	157

Total.....	2,233	2,260
------------	-------	-------

By agreement:

Contract.....	215	1,005
Tort.....	194	937
Contract or tort.....	0	0
All others.....	1	0

Total.....	410	1,942
------------	-----	-------

Defendants' judgments

By non-suit:

Contract.....	34	48
Tort.....	95	218
Contract or tort.....	5	7
All others.....	0	0

Total.....	134	273
------------	-----	-----

After trial:

Contract.....	77	87
Tort.....	162	170
Contract or tort.....	7	14
All others.....	154	146

Total.....	400	417
------------	-----	-----

By agreement:

Contract.....	0	35
Tort.....	0	34
Contract or tort.....	0	0
All others.....	0	0

Total.....	0	69
------------	---	----

Amount of plaintiffs' judgments:

Contract	\$9,393,483.34	\$10,419,504.85
Tort	977,612.28	650,873.93

Contract or tort	16.50	—
All others	18,063.81	27,634.53
Total	\$10,389,175.93	\$11,098,013.31

Average of plaintiffs' judgments:

Contract	\$653.91	\$653.59
Tort	672.82	269.07
Contract or tort80	—
All others	629.41	138.86

Average of all judgments	\$644.25	\$593.85
--------------------------------	----------	----------

* Remanded cases included in total tried.

(1971)
697(1972)
639

** Some cases are heard before the reporting period and decided during the reporting period.

CRIMINAL

Complaints granted by the Court:

Automobile violations	4,864	5,214
Domestic relations	131	172
Drunkenness in Court	3,841	2,743
Pedestrian violations	0	564
Other criminal cases	7,598	8,190

Total	16,434	16,883
-------------	--------	--------

Not arrested, pending trial	2,055	2,095
-----------------------------------	-------	-------

Trial by the Court:

Pleaded guilty	7,315	4,835
Pleaded not guilty	7,064	9,953

Total	14,379	14,788
-------------	--------	--------

Disposition of complaints tried by the Court:

Placed on file, dismissed, etc.	4,764	4,778
Defendants acquitted	1,204	1,203
Bound over to Grand Jury	337	392
Placed on Probation (Not including surrenders)	2,829	2,497
Defendants fined	3,587	4,341
Fines appealed	202	182
Imprisonments	834	689
Imprisonments appealed	622	706
Pending for sentence	0	0

Total	14,379	14,788
-------------	--------	--------

Search warrants issued	253	508
Inquests held	0	0
Drunkenness released by Probation Officer ..	6,228	5,477
Pedestrian control notices (J-Walking)	229	938
Rubbish disposal notices	1	0

1971

Parking Law Report		
Parking tags issued by police	834,637	
Court Complaints made		326,366
Defaulted	95,520	
Future Summonses	27,760	123,280
Total Cases Tried		203,086

1972

Parking Law Report		
Parking tags issued by police	847,899	
Court Complaints made		350,772
Defaulted	169,926	
Future Summonses	43,620	213,546
Total Cases Tried		137,226

1971

Pleaded guilty	196,751	
Pleaded not guilty	6,335	
Placed on file	5,989	
Probation	120	
Fines Paid	190,915	
Fines Appealed	20	
Defendants Acquitted	6,042	203,086

1972

Pleaded guilty	125,863	
Pleaded not guilty	11,363	
Placed on file	5,402	
Probation	3	
Fines Paid	126,005	
Fines Appealed	4	
Defendants Acquitted	5,812	137,226

Finances:

Received from parking tag office	\$1,789,803.00	\$2,428,893.63
Received from court fines, fees, forfeitures, etc.	1,225,701.00	1,101,186.00

Total:

Turned over to the Commonwealth and to the City of Boston	\$3,015,504.00	\$3,530,079.63
Received as bail by Court	26,296.00	30,380.00
Total Finances Handled by the Court	\$3,041,800.00	\$3,560,459.63

UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT G. L. C. 273A

	1970	1971	1972
Petitions initiated for petitioners residing in Boston (Initiating)	5	20	47
Petitions received from foreign states (Responding)*	184	210	208
Total Petitions processed	189	230	255
Support payments collected by the Probation Department:			
For dependents residing in Boston (Initiating)	\$ 32,624.26	\$ 29,201.49	\$ 32,871.06
For dependents residing in foreign states (Responding)	86,685.65	98,903.17	98,894.70
Total collections	\$119,309.91	\$128,104.66	\$131,765.76
Collections increased by \$12,455.85 from 1970 to 1972.			

*(In 1970, 135 Petitions forwarded here in error- transferred or re-directed to other Courts; in 1971, 131 Petitions; and in 1972, 165 Petitions.)

BOSTON JUVENILE COURT

Comparative statistics of the court for two years follow:

COMPLAINTS					
	1971			1972	
Juvenile:					
Boys		34		85	
Girls		—	34	—	85
Delinquent:					
Boys		1,634		1,779	
Girls		434	2,068	616	2,395
Adult:					
Men		8		13	
Women		10	18	8	21
Children in need of care and protection	(86)	47	47	(81)	63
Totals			2,167		2,564
Judicial Determinations — hearings*			8,278		10,561
Pending cases:					
Juvenile:					
Boys	(680)	863		(665)	927
Girls	(273)	302	1,165	(303)	363
Adults:					
Men	(14)	16		(13)	17
Women	(7)	9	25	(6)	8
Children in need of care and protection	(117)	51	51	(109)	60
Totals			1,241		1,375

*(Judicial Determinations include all matters concerning all cases that are brought for decision before the Justice of the Court: findings, dispositions, orders, and all changes in cases, such as custody arraignments, surrenders and continuances for case records.)

In the above table complaints in the various categories are stated and totalled. Individuals appear in ().

SPRINGFIELD JUVENILE COURT

Comparative statistics of the court for two years follow:

COMPLAINTS					
		1971		1972	
Juvenile:					
Boys		7		36	
Girls		1	8	—	36
		<hr/>		<hr/>	
Delinquent:					
Boys		1,488		1,503	
Girls		250	1,738	273	1,776
		<hr/>		<hr/>	
Adult:					
Men		16		8	
Women		19	35	11	19
		<hr/>		<hr/>	
Children in need of care and protection	(46)	21	21	(52)	20
		<hr/>		<hr/>	
Totals			1,802		1,851
Judicial Determinations — hearings*			6,045		7,323
Pending cases:					
Juvenile:					
Boys	(660)	863		(436)	721
Girls	(141)	165	1,028	(113)	131
		<hr/>		<hr/>	
Adults:					
Men	(9)	9		(2)	2
Women	(14)	15	24	(14)	14
		<hr/>		<hr/>	
Children in need of care and protection	(36)	15	15	(22)	10
			<hr/>		<hr/>
Totals			1,067		878

* (Judicial Determinations include all matters concerning all cases that are brought for decision before the Justice of the Court; findings, dispositions, orders, and all changes in cases, such as custody arraignments, surrenders and continuances for case records.)

In the above table complaints in the various categories are stated and totalled. Individuals appear in ().

WORCESTER JUVENILE COURT

Comparative statistics of the court for two years follow:

		COMPLAINTS				
		1971		1972		
Juvenile:						
Boys		5			17	
Girls		—	5		—	17
		—			—	
Delinquent:						
Boys		1,154			1,274	
Girls		289	1,443		384	1,658
		—			—	
Adult:						
Men		2			0	
Women		8	10		2	2
		—			—	
Children in need of care and protection						
		86	86		169	169
		—			—	
Totals			1,544			1,846
Judicial Determinations — hearings*			6,836			7,197
Pending cases:						
Juvenile:						
Boys	(416)	652		(414)	616	
Girls	(128)	184	836	(145)	161	777
		—			—	
Adults:						
Men		0		(0)	0	
Women		0		(2)	2	2
		—			—	
Children in need of care and protection						
(127)		79	79	(63)	169	169
			—			—
Totals			915			948

*(Judicial Determinations include all matters concerning all cases that are brought for decision before the Justice of the Court; findings, dispositions, orders, and all changes in cases, such as custody arraignments, surrenders and continuances for case records.)

In the above table complaints in the various categories are stated and totalled. Individuals appear in ().

The attached table which follows, prepared by the Administrative Office of the District Courts, should be corrected in the following respects:

<i>The figure in column No. . . .</i>	<i>For court No. . . .</i>	<i>Should be . . .</i>
2	13	264
2	64	9
3	13	233
3	32	285
3	64	140
5	65	3
9	63	1,228
10	36	5,151
10	60	795
10	61	2,875
10	8	10,241
10	71	1,402
11	1	1,247
11	51	201
18	12	2,765
19	3	696
19	7	6,120
19	10	146
19	12	2,716
19	27	6,339
19	34	37,388
19	39	7
19	47	0
19	54	0
19	58	270
19	60	142
19	66	0
20	23	63
22	11	517
24	11	7,770
30	41	\$45,371.79
31	58	8
34	42	67

The column totals should be as follows:

Column 2	12,323
Column 3	13,077
Column 5	6,371
Column 9	98,887
Column 10	528,389
Column 11	23,208
Column 18	292,117
Column 19	398,292
Column 20	17,345
Column 22	30,312
Column 24	1,906,635
Column 30	3,871,496.64
Column 31	10,925
Column 34	9,489

STATISTICS OF THE DISTRICT COURTS OF MASSACHUSETTS FOR THE YEAR ENDING JUNE 30, 1972 AS REPORTED BY THE CLERKS OF SAID COURTS

Compiled by the office of the Chief Justice of the District Courts

		1	2	3	4	5	6	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35		
DISTRICT COURTS arranged in accordance with 1970 CENSUS		Total Civil Writs Entered	Trials Less Summary Process	Summary Process Entered (Included in Column 1)	Summary Process Tried	Removals to Superior Court	Reported to Appellate Divisions	Reported to Supreme Judicial Court	Supplementary Process Entered	Small Claims Entered	Total Criminal Complaints (except Parking Complaints)	Narcotics – Harmful Drugs, etc.	Drunkenness	Gaming and/or Lottery Cases	Operating Under Influence of Intoxicating Liquor	Operating Under Influence of Drugs	Operating so as to Endanger	Using Without Authority and Larceny of Motor Vehicle	All Other Motor Vehicle Complaints (except Parking)	Criminal Parking Complaints	Criminal Appeals	Juvenile Drug Complaints	All Other Juvenile Complaints	Neglected Children	Parking Tickets Returned	Commitments of Mentally Ill	Neglect of Family Non-Support		Uniform Reciprocal Enforcement of Support Act G.L.C.273A		Remand or Transfer Cases Acts 1958, C. 369						
																											Number of Cases	Amount of Money Collected	Cases Initiated	Cases Received from Other States	Amount of Money Collected	Cases Received	Tried	Retransferred to Su- perior Court after Trial	Dispositions: Agreements, Trials, Defaults, Non-Suits, Dismissals, Settlements, etc.	Pending	
1	Central Worcester	5,683	420	619	163	160	4	0	1,860	4,314	42,596	1,297	4,610	20	376	2	210	168	28,259	24,204	1,148	0	0	0	104,041	151	23	61,489.25	41	53	154,878.96	1,676	184	119	1,337	2,495	1
2	Springfield	5,589	1,186	633	107	414	6	2	3,067	8,418	37,457	1,330	3,266	206	370	10	241	205	25,964	11,347	696	0	0	0	122,365	446	313	450,231.94	83	92	221,019.27	345	121	45	303	289	2
3	East Norfolk, Quincy	5,482	669	272	112	282	6	0	965	3,025	20,255	969	2,492	29	500	7	278	128	11,227	4,625	343	125	1,222	8	10,574	18	91	120,612.34	50	34	132,925.54	548	85	35	438	527	3
4	1st Eastern Middlesex, Malden	4,894	453	388	313	373	4	0	818	2,612	11,663	704	1,257	16	216	11	138	159	7,517	20,700	534	45	844	3	88,188	37	49	180,149.08	18	34	98,401.54	280	230	24	366	278	4
5	Lowell	3,296	656	498	80	203	2	0	823	7,328	15,576	268	2,725	16	135	3	56	14	5,099	1,411	525	60	1,325	46	16,379	99	190	676,679.82	819	965	116,052.64	387	75	22	313	386	5
6	3rd East, Middlesex, Cambridge	5,191	518	495	165	314	3	4	793	1,211	15,707	708	2,716	5	156	11	131	102	8,983	29,605	559	57	864	26	304,425	47	78	62,534.84	26	20	120,787.67	317	61	38	255	256	6
7	Dorchester	4,227	821	1,569	301	649	11	2	2,150	2,367	15,241	618	3,027	119	167	1	221	197	4,322	6,569	935	91	1,869	13	59,500	4	421	479,643.36	34	59	95,517.84	534	293	99	422	1,856	7
8	Southern Essex, Lynn	2,635	328	408	328	76	4	0	767	2,021	11,454	655	2,286	14	263	9	170	92	4,669	1,213	460	24	780	8	37,321	0	28	52,264.61	23	19	53,470.30	124	61	17	414	193	8
9	4th East, Middlesex, Woburn	2,571	295	126	31	248	2	0	1,068	2,332	10,555	575	856	0	197	2	123	102	6,745	0	528	138	717	0	2,941	52	67	187,333.51	28	28	122,662.97	207	40	23	199	57	9
10	Third Bristol, New Bedford	2,638	308	397	202	240	3	0	374	4,273	12,617	1,249	1,391	205	260	3	200	123	4,582	4,604	204	52	808	3	46,123	58	57	93,201.77	29	27	103,668.74	157	46	24	173	245	10
11	Northern Norfolk, Dedham	1,942	158	99	6	104	0	0	676	1,295	8,143	250	562	0	173	2	306	60	5,825	4	293	38	965	0	517	487	23	42,186.58	12	16	90,288.41	219	67	30	165	134	11
12	Lawrence	2,125	347	348	107	191	0	1	203	1,347	7,426	497	1,683	54	312	6	96	101	2,745	1,912	498	56	596	24	22,493	31	166	66,132.25	8	21	67,536.74	74	17	11	71	61	12
13	Second Bristol, Fall River	1,775	233	264	130	139	1	0	268	1,551	10,608	537	2,129	59	149	4	511	65	6,042	5,892	60	87	1,072	2	53,356	25	11	42,447.73	40	29	61,087.33	153	30	3	132	388	13
14	West Roxbury	1,488	271	658	291	74	2	0	937	1,343	9,301	339	1,031	23	123	1	205	111	4,437	5,110	339	35	632	4	30,250	0	379	174,079.72	27	31	108,677.78	139	41	8	123	113	14
15	First Essex, Salem	1,936	514	201	150	103	0	0	385	1,309	6,356	239	673	25	320	4	109	28	3,808	1,927	259	32	530	2	26,665	59	58	170,916.78	12	19	82,165.88	50	14	7	58	127	15
16	1st So. Middlesex, Framingham	1,890	165	148	33	190	1	0	801	2,037	10,850	326	508	14	234	1	178	47	7,528	796	351	62	829	25	5,050	54	249	259,552.01	17	22	99,210.17	171	63	29	184	38	16
17	Brockton	2,603	334	382	131	235	4	0	624	2,064	10,225	700	1,780	3	262	2	187	86	3,332	6,740	295	46	817	4	12,422	292	53	262,707.26	33	22	100,100.80	385	32	12	180	380	17
18	Hampshire, Northampton	671	61	54	31	28	1	0	131	2,253	10,875	379	1,388	33	450	2	270	80	6,579	1,176	367	34	529	2	47,704	112	75	75,702.77	17	27	42,527.83	88	46	16	152	38	18
19	2nd Plymouth, Hingham	1,524	238	118	55	120	0	0	540	1,657	13,298	619	1,074	0	367	0	422	79	8,279	1,463	935	143	860	1	1,920	41	149	257,677.33	74	24	98,327.41	215	58	5	190	60	19
20	2nd East, Middlesex, Waltham	2,764	257	139	61	169	1	0	492	1,610	14,376	335	1,339	8	240	3	155	32	9,509	1,719	563	27	307	3	52,372	216	12	59,416.07	12	16	40,756.14	177	77	35			

